Quarterly of the California Historical Society

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JOHN NEELY JOHNSON
Governor of California, 1856-58

From an engraving published in the Sacramento *Pictorial Union* of January 1, 1856.

VOL IX, No. 2 JUNE, 1930

Quarterly of the
California Historical Society

THE RISE AND FALL OF THE "KNOW NOTHINGS" IN CALIFORNIA

By Peyton Hurt

(Continued)

CHAPTER VI.

THE CAMPAIGN OF 1856

The preceding chapters have shown how the Know Nothings in California grew with amazing rapidity, until they won the elections which placed them in control of the state government during the year 1856. But the suddenness of their rise to power was almost equaled by the rapidity of their decline. This conglomeration of diverse political factions revealed in its conduct of the state administration that it was no true political party, that it had no discipline, and could not successfully carry out a party program. Nevertheless, the Know Nothings looked forward with hopes of success in the presidential campaign of 1856.

The first step in preparation for the campaign of 1856 was taken by the Know Nothings shortly after their victory in the state elections of 1855. The state council of the Order met in secret session at Sacramento, November 13, 1855, with 109 delegates present.[1] The business of this council[2] consisted in electing delegates to the National Council and in issuing a state platform in the form of a lengthy address to the people of California.[3]. This was a political harangue on the conditions in California and the objects of the Know Nothings. Beginning with a declaration that "California has been the best taxed and the worst governed country of which there is any record," the address accused the past administrations of having cunningly fomented discord on issues foreign to this state so that "the interests of California have been subordinate topics to the political issues which have convulsed the old states since 1789." As a cure for this, "the questions which caused such serious agitations in the old states" were declared to be "the ones which we wish to ignore and discard in this state." The Know Nothings advocated economy in state administration, a revision of the criminal code, and the building of a Pacific railroad. As to native "American" principles, their platform declared:

> While we advocate either the repeal or great modification of our naturalization laws, we demand that all who have or will comply with our terms, be allowed the privileges guaranteed to them.

[1] Davis, 50.

[2] Permanent officers of the state council were: *President,* S. A. McMeans; *Vice President,* Silas Selleck; *Secretary,* David McDowall; *Treasurer,* A. H. Guild; *Marshal,* F. B. Wilder; *Instructor,* H. M. Snyder; *Sentinel,* J. F. Gladding. See the *Union,* November 16, 1855.

[3] *Union,* November 15, 1855; Davis, 50.

We believe in the doctrine of "Americans ruling America," and that the boon held out to foreigners and secured to our naturalized citizens by our constitution and laws is *protection* in the enjoyment of life, liberty, and the pursuit of happiness.

We believe that all white native-born citizens of good moral character, who acknowledge no allegiance superior or equal to their allegiance to the constitution and laws of the United States, are a common brotherhood and entitled to the same privileges, without reference to sect or religion, and drawing ourselves out of all sectional agitation upon the subject of southern rights as distinguished from the northern, we demand that our congressional delegation shall vote *"nay"* upon every proposition, coming from whatever quarter it may, to continue or renew it.

On February 22, 1856, the national nominating convention of the Know Nothings organized in Philadelphia. This convention was preceded by a three-day session of the National Council, which was called in special session to consider the advisability of postponing Presidential nominations until after the regular meeting of the National Council in June, 1856. Two sets of delegates represented California at these two meetings. The first was chosen at the November meeting of the state council and arrived at Philadelphia with the following members:[4] John Skinker, S. W. Brockway, Dr. Hitchcock, Theodore Winters, R. N. Wood, Samuel B. Smith, and F. Stanley. The second set was chosen at some later date, probably in answer to the call from the President of the National Council, E. B. Bartlett, issued at Covington, Kentucky, November 28, 1855, and published in California papers, January 4, 1856.[5] These delegates were Charles M. Hitchcock, Charles Matthews, J. Spencer Olds, and George A. Van Bokkelyn.

In the brief session of the National Council the California delegates were unsuccessful in their attempt to postpone Presidential nominations. At this meeting the slavery fight again came to the front, and the struggle which occurred in its session of June, 1855, was repeated. Finally, on February 21, they voted to continue the stand of neutrality, which meant "non-interference with slavery."[6] In the nominating convention beginning the following day, the slavery fight occurred once more, resulting in the withdrawal of some of the anti-slavery delegates when the same "pro-slavery" measures were adopted.

As a result of this split the anti-slavery wing of the Know Nothings took the name of North American Party and nominated John C. Frémont of California for President.[7] His nomination by this faction of the Know Nothings had much to do with his selection as the first presidential candidate of the new Republican party in June, 1856.

On February 25, the Know Nothing convention — now composed entirely of "South Americans" — proceeded to the business of nominations and soon agreed on the choice of Millard Fillmore, for President, and Andrew J. Donnelson, for Vice President. This marks the beginning of the American Party, as the members of the Know Nothing Order were now presented with a national as well as local tickets, and hence did not need to continue their affiliation with either of the old parties in the coming campaign.

[4] *Union*, Nov. 15, 16, 1855; March 24, 1856; Davis, 50.
[5] *Alta California*, Jan. 4, 1856.
[6] Scisco, 173.
[7] Scisco, 185.

Office of the State Council
of the State of California.
January 4th 1856

We hereby certify, that at a meeting of the State Council of the State of California (working under Charter from the N. C. of the U. S. of N. A.) held at the City of San Francisco, Charles M. Hitchcock, Charles Matthews, J. Spencer Olds, and George A. VanBokelyn, were duly elected delegates to represent the State of California in the Convention, appointed to be held on the 22nd day of February next, or at any adjourned meeting of that Convention.

It was further resolved by the State Council, that said persons also represent the State of California at the next meeting of the National Council in June next.

It was further Resolved that in the opinion of the State Council, it is inexpedient to make Presidential nominations, until after the annual Meeting of the National Council in June.

Also that the above delegates be authorized to appoint substitutes or alternates.

In Witness whereof we have hereto subscribed our names & affixed the seal of our State Council, this 4th day of January A.D. 1856.

William P. Olds
Grand Great of
State of Cal.a

Attest M. V. Burlew.
Grand Rec. Sec

Document certifying the election of delegates to the National Convention and National Council of the Know Nothing Party.

From the original (7¾ x 12 inches) in the collection of Carl I. Wheat.

One important act of the National Council was the adoption of article XV in their platform, which declared:[8] "That each State Council shall have the authority to annul their several constitutions so as to abolish the several degrees, and substitute a pledge of honor instead of other obligations, for fellowship and admission into the party."

In the session of the National Council of June, 1855, it had been declared that *local councils* could abolish secrecy of meetings and membership, and now it was declared that the *state councils* no longer needed to maintain their secret organization, degrees and obligations. The Order of Know Nothings was shedding its garb of secrecy and developing into a genuine political party.

The next meeting of the California state council was in Sacramento, May 13, 1856. It was presided over by S. A. McMeans, the Grand President, and 140 delegates were present representing 25 counties.[9] The council passed a resolution thanking their representatives to the national nominating convention for the manner in which they had discharged their duties, and endorsed the nomination of Fillmore and Donnelson for President and Vice President.[10] S. A. McMeans and Silas Selleck were elected as Grand President and Vice President of the Council, and a committee was appointed to consider revision of the constitution and ritual.[11]

Concerning the question of slavery, the council took the Southern view and adopted the following resolution: "That the people of the territories of the United States have the sole right to regulate their own domestic institutions, and that Congress has no constitutional power, either directly or indirectly, to interfere with slavery either in the states or territories." A resolution, condemning the "Republican movement in this state" as "mischievous and treasonable" and tending "to build up sectional parties," was tabled, as were others concerning the "Kansas Nebraska Bill."

The council concluded its business by issuing an address to the people, signed by a committee composed of James T. Farley, W. W. Hawks, B. C. Whitman, Charles S. Biden, and Isaac Baggs.[12] This address, after congratulating "Fellow-Americans" upon the "present high and proud position of the National American party," expressed contempt for the Democrats and Republicans, endorsed Fillmore and Donnelson for President and Vice President, and discussed the progress of the Know Nothing administration in California, declaring that "save for the machinations of a factious minority, much more would have been achieved."

Four months later, on September 2, 1856, the Know Nothing state nominating convention met at Sacramento in Benton's (Congregational) Church on Sixth Street.[13] On the first day various contests among the delegates were set-

[8] For National Platform, 1856, see Schmeckebier, 123; Whitney, 367.
[9] Davis, 62.
[10] *Union,* May 14, 1856; Davis, 63.
[11] *Union,* May 14, 1856.
[12] *Union,* May 19, 1856.
[13] *Ibid.,* September 3; Davis, 67.

tled, and the convention decided that "on all nominations the delegation from each county should cast the vote of the county in the ratio of one vote for each one hundred votes cast for Governor Johnson at the last fall election." On the second day of the convention permanent officers were selected.[14] The convention then proceeded to nominate the following ticket:[15]

For Congressmen	B. C. WHITMAN, of Solano.
	A. B. DIBBLE, of Nevada.
For Clerk of the Supreme Court	JOHN SKINKER, of Sacramento.
For School Superintendent	HORACE B. JANES, of San Francisco.
For Presidential Electors	BAILIE PEYTON, of San Francisco.
	JESSIE S. PITZER, of Trinity.
	R. N. WOOD, of Amador.
	O. C. HALL, of Sierra.
For Alternate Electors	MANUEL A. CASTRO, of San Luis Obispo.
	CHAS. L. SEMPLE, of Colusa.
	JOSEPH WINSTON, of Plumas.
	J. MILTON WILLIAMS, of Santa Clara.

Immediately after the nominations were completed, the Secretary began to read a resolution for one of the delegates, but as soon as the convention gained an idea of its meaning a storm of protest broke out all over the hall. The opposition was so great that the reading was discontinued. This resolution was drawn up to condemn the actions of the Vigilance Committee in San Francisco "as destructive of the prosperity of this state and dangerous to the rights and liberties of her citizens," but so great a majority of the Know Nothing delegates were obviously opposed to any such criticism of the Vigilance Committee that no further attempt was made to bring up the subject.[16]

The final resolution of the convention may be considered as their platform, as it briefly summarizes the points covered in previous lengthy addresses to the people. It read as follows:[17]

> That the American party, being essentially a reform party, they pledge themselves, in laboring to elect Fillmore and Donnelson, the nominees of the convention; to lend their energies in the aid of the great and essential reform movements of the day — the Pacific railroad, the purity of the ballot-box, the elevation of none but pure men to positions as local officers, and that we recognize all persons advocating the election of Fillmore and Donnelson, as co-laborers with us in the glorious cause of union and regeneration.

In the campaign the Know Nothings were opposed by the Democrats and the newly formed Republican party. The Democrats met at Sacramento, March 5, 1856, to nominate delegates to their national convention.[18] The platform which they adopted at this time contained the following anti-Know Nothing plank:[19]

> We are opposed to all secret political organizations, regarding them as subversive of the great principles upon which our institutions are based, and dangerous to liberty. We are opposed to that party (falsely called American) which recklessly assails the sacred rights of

---

[14] *President,* J. G. McCallum, of El Dorado; *Vice Presidents,* T. J. Osley, of Tuolumne; J. H. Harris, of Marin; B. G. Weir, of San Joaquin; Eben Niles, of Sierra; Alex. B. Abell, of San Francisco; *Secretaries,* T. A. Thomas, of Sacramento; E. A. Gillette, of Shasta; Chas. Patterson, of Yuba; A. S. Grant, of Placer; *Sergeant-at-Arms,* Alex. Coffin, of Sacramento; *Assistant Sergeant-at-Arms,* John Jennings, of Sacramento. *Union,* September 4, 1856.

[15] Davis, 67; see also the *Union,* September 2-5, 1856.

[16] Davis, 69; *Union,* September 5, 1856.

[17] *Ibid.*

[18] *Journal,* March 6, 1856; Davis, 54.

[19] Davis, 57; Section 19 of the Democratic platform.

conscience, proscribes naturalized American citizens, assails all the great doctrines secured by the heroism of the revolution, and established by the wisdom and patriotism of the founders of the republic; and yet hypocritically professes attachment "to the purer days of the republic, and invokes the spirit of heroism, patriotism, and virtue that precipitated the revolution," and declares that "Americans shall rule America."

In addition, the Democrats adopted the following resolution:[20]

That the convention does hereby most fully approve of the action of the senate and assembly in preventing the election to a seat in the senate of the United States of a "Know Nothing"; that in so doing they have fully done their duty and expressed the wishes of the entire democratic party, and the wishes of a majority of the people.

On September 9, 1856, a second Democratic convention convened in Sacramento. This convention represented the "united Democracy," which, however, was "by no means harmonious." The strength of their enemies, the Know Nothings and Republicans, forced the Democrats to hold together, and they finally nominated the following ticket:[21]

For Congressmen	CHARLES L. SCOTT.
	JOSEPH C. McKIBBEN.
For Supreme Court Clerk	CHARLES S. FAIRFAX.
For School Superintendent	ANDREW J. MOULDER.
For Presidential Electors	AUGUSTIN OLVERA.
	GEORGE FREANOR.
	P. DE LA TORRE.
	A. C. BRADFORD.
For Alternate Electors	J. M. COVARRUBIAS.
	C. PRECHT.
	J. C. PALMER.
	W. S. LONG.

The California Democrats endorsed the work of their national convention in nominating James Buchanan and John C. Breckenridge for President and Vice President, and cordially approved the national platform of the Democratic party.

The first mass meeting of Republicans in California was held at Sacramento on the evening of April 19, 1856, and a few days later, on April 30, the first state convention of the Republicans met in that city.[22] This first convention, which was "slimly attended" by only 125 delegates from thirteen counties, passed several anti-slavery resolutions and unanimously adopted the platform of the Pittsburgh convention, held in February of that year.

The Republican nominating convention met in Sacramento on August 27. This convention approved the nomination of John C. Frémont and William L. Dayton for President and Vice President, and endorsed the Republican national platform. The following state ticket was nominated:[23]

For Congressmen	IRA P. RANKIN.
	THOMAS COX.
For Supreme Court Clerk	CORNELIUS COLE.
For Presidential Electors	ALEXANDER BELL.
	FREDERICK P. TRACY.
	C. N. ORMSBY.
	LEWIS C. GUNN.
For School Superintendent	J. M. BUFFINGTON.

[20] Davis, 59.
[21] *Ibid.*, 70.
[22] Davis, 59, 64.
[23] *Ibid.*

Because of their alleged tendency toward abolitionism, the Republicans were the object of bitter attacks from both of the other parties, and on October 7, Thomas Cox, nominee for Congressman, withdrew from the ticket on account of attacks from the opposition press. He was replaced by J. N. Turner.

The Know Nothings in California were thus participating in the party's first, and only, presidential campaign, and were hopeful of defeating their two opponents, the Democrats and Republicans, by casting the electoral vote of the state for the "American" candidates, Fillmore and Donnelson. But more than the election of President and Vice President was at stake. The annual election of members of the state legislature was also to take place, and the Democrats were threatening to wipe out the Know Nothing majority in that body.

Early in the campaign, the Know Nothings became worried over the growth of the Republicans.[24] They accused the Democrats of having brought the Republican party into existence, declaring that the revival of the struggle over slavery in the territories, which was the work of the Democrats in Congress, had split the Know Nothing national organization and had led to the founding of the Republicans, a strictly sectional party.[25]

In California, it was hoped that the Republicans would not "force their legislative ticket upon the people," thereby jeopardizing the chances of the Know Nothings. But such hopes were vain, and the Republicans put forth candidates for the legislature in all of the most populous counties. "These tickets were not run with any expectation of electing them," declared the Know Nothings, "but simply to help to organize a party, and assist the electoral ticket for Frémont." The Republicans were a serious menace to the Know Nothings, especially since they were drawing more from the Order of "Americans" than from the Democrats. The *Union* expressed it as follows:[26]

> Were there but two parties, then, the result would be certain; but the pertinacity of the Republicans — their determination to force their ticket for the Legislature upon the people, will probably result in electing the whole Democratic . . . ticket.
> . . . Nominating Republican tickets (for the legislature) is likely to result in the election of the Democratic nominees by plurality votes.

The Know Nothings devoted much of their efforts in the campaign to pointing out the sectionalism of their two opponents, and the inscriptions on their banners and placards expressed their conclusions on the subject in the following manner:[27]

> If you want an administration for South as against the North, vote for James Buchanan; if you want an administration for North against the South, vote for John C. Fremont; if you want an administration for the Union, the Whole Union, and nothing but the Union, vote for Millard Fillmore. The issue is now before you — strike for your God, for liberty, your Country, and the Union.

A part of the campaign "hullabaloo" was the "rally of the old line Whigs" to the support of Fillmore. A large and enthusiastic meeting of Old Line Whigs took place in front of the Orleans Hotel in Sacramento on Saturday evening,

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[24] *Union*, October 4, 1856.
[25] *Ibid.*
[26] *Union*, October 20, 1856.
[27] *Ibid.*

October 18. This meeting endorsed the "American" candidates and displayed the regular Know Nothing campaign banners.[28] Among these was one quoting an extract from one of Fillmore's speeches: "If there be those, either North or South, who desire an administration for the North as against the South, or for the South against the North, they are not the men who should give their suffrage to me."

Meanwhile, the Democrats were out to win. They assessed office holders "10 per cent upon the heads of departments, and 5 per cent upon the income of subordinates to meet the expenses of the campaign and election,"[29] and loudly proclaimed their cause to the voters. Their chief cry was that by their election alone could the Union be saved. They declared:[30]

> We beg earnestly to impress upon every voter in the Democratic party that the issue of this contest is absolutely and undeniably union or disunion; and with such consequences of defeat staring us in the face, it would be a monstrous crime against the country we all love to permit minor considerations to divide our ranks, or personal jealousies or piques to weaken our arms in the battle.

One issue of importance cut across party lines. This was in regard to the Vigilance Committee of San Francisco. That "extra-legal body" was desirous of having men elected to the legislature who would not allow prosecution of its members. The "Law and Order" men were those who opposed the Vigilance Committee and stood for the administration of justice in all cases by the regular courts. But no party seems to have been united on this issue. Candidates were often called upon to express their views on the subject,[31] but it was not an issue between parties. However, it was an important issue and had considerable influence on many of the voters. In San Francisco, a People's party was organized, heartily endorsing the work of the Vigilance Committee, and all its nominees were elected.[32]

The election took place on Tuesday, November 4, 1856, and it resulted in a triumph for the Democrats. The state went to Buchanan by a plurality vote, and the entire state ticket of the Democrats was elected. The votes were as follows:[33]

	DEMOCRAT	KNOW NOTHING	REPUBLICAN
President	BUCHANAN—53,365	FILLMORE—36,165	FRÉMONT—20,339
Congressmen	SCOTT—50,813	WHITMAN—36,058	RANKIN—21,975
	McKIBBEN—50,896	DIBBLE—35,376	TURNER—21,164
Supreme Court Clerk	FAIRFAX—52,000	SKINKER—35,165	COLE—20,808
School Superintendent	MOULDER—51,658	JANES—35,787	BUFFINGTON—20,490

In addition to this, the Democrats gained a clear majority in both houses of the state legislature. Their strength in the legislature may be seen in the following table:[34]

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[28] *Union,* October 20, 1856.
[29] Bancroft, VI, 703.
[30] *Herald,* quoted in the *Union,* October 28, 1856.
[31] Bancroft, VI, 703; *Union,* November 1, 1856.
[32] Davis, 74.
[33] *State Register,* 1857, pp. 163 and 167.
[34] *Union,* November 18, 1856. This table omits returns from Tulare and Fresno.

	DEMOCRATS	KNOW NOTHINGS	REPUBLICANS
Senate	18	11	3
Assembly	60	8	11
Total	78	19	14

Nine of the eleven Know Nothings in the senate were held over, their terms not expiring until the following year. They were David R. Ashley, James W. Coffroth, Sashell Bynum, John D. Cosby, Wellington C. Burnett, E. G. Waite, Henry M. Fiske, and John G. McCallum.[35] Therefore, the Know Nothings actually elected only 3 senators and 8 assemblymen in 1856. These were:[36]

SENATORS
R. S. MESICK, of Yuba.
JESSE O. GOODWIN, of Yuba and Sutter.
WILLIAM T. FERGUSON, of Sierra.
ASSEMBLYMEN
ESTEVAN CASTRO, of Monterey.
ORSON K. SMITH, of Tulare and Frezno.
A. P. CATLIN, of Sacramento.
ROBERT C. CLARK, of Sacramento.
LEONARD W. FERRIS, of Sacramento.
ANDREW M. STEVENSON, of Solano.
J. S. CURTIS, of Yolo.
DANIEL W. C. RICE, of Yuba.

The Know Nothing bubble had burst. Their defeat was complete, and the Democrats had regained complete control of the state. The predictions of the *Union* had proved true, and it now declared that "the returns exhibit evidence which proves that eight-tenths of the Republicans were from the 'American' and old Whig parties — that it was made up of men who would have voted against" the Democrats had there been no Frémont ticket in the field. Therefore, the people of the state were invited to "hold the leaders of the Republican movement responsible for again placing the old fogy spoils Democratic party in power in California."[37]

CHAPTER VII.

DECLINE AND DISAPPEARANCE OF THE KNOW NOTHINGS IN CALIFORNIA

By their severe defeat at the hands of the Democrats and Republicans in the election of 1856, the Know Nothings were suddenly swept from control of the government of California to a position of relative unimportance. Not only were they cast aside in state politics, but also in local politics. In various city elections, the place formerly held by the Know Nothings was now taken by "independent" or "citizen's" tickets. In some cases the remnants of the Know Nothing councils may have been in support of these independent tickets, but in every case the organization and control had passed out of the hands of that secret Order.

[35] *State Register*, 1857, 76-81.
[36] *Ibid.*
[37] *Union*, November 6, 1856.

In San Francisco, the Know Nothings did not hold office for a full year after their victory of September, 1854.[1] The legislature passed a law providing a new charter for San Francisco, which called for an election of officers to be held on March 28, 1855.[2] Again the politicians buzzed; and once more the Democrats fought the Know Nothings for control of the city government. Of this contest, it was declared:[3] "The issues, it was generally understood, were to be between the Know Nothings, or American Party, and the Anti-Know Nothings, comprising the foreign-born population of the city and the entire strength of the two wings of the old Democratic Party."

The Democrats held their convention on May 24, and nominated their ticket, heading it with James Van Ness for mayor. The Know Nothings made their nominations the following day, nominating for mayor, Sidney P. Webb, whom they had elected to that office in the preceding election of 1854. They generally selected their candidates from the existing Know Nothing city administration.

It was a sharp contest in which both sides used every available means to win. Webb was generally regarded as a good honest mayor, but he had "been embarrassed by the conduct of some of the worst men that ever sat around a Council Board,"[4] while Van Ness was undoubtedly a very strong man, giving great prestige to the Democratic ticket. The Know Nothings advertised their nominations as a "People's Ticket," but although they continued to pose as a reform party they now tended to stress the issue of "Americanism" to a great extent. In fact, it was generally regarded as a test struggle between the foreign and the native-born citizens.

In the two days preceding the election the excitement was high, and parades, banners, and other paraphernalia were used for electioneering purposes. Caricatures of "mackerel-snatchers," "Yankees," and even "abolitionists" were publicly paraded by the rival organizations. Some of these demonstrations were so insulting that they aroused a feeling of resentment in the better citizens.[5]

The election returns were complete by May 30, and they showed the Democrats victorious. It was common knowledge that the result of the election "was entirely changed by fraud," but it was impossible to determine which side had benefited most from it.[6] The election was close, and, although they lost heavily in comparison to the previous one, the Know Nothings managed to elect several administrative officers and one-half the members of the Common Council. The results were as follows:[7]

Mayor—JAMES VAN NESS, Democrat, 65 majority.
Treasurer—WM. McKIBBEN, Dem., 104 majority.
Comptroller—ANDREW J. MOULDER, Dem., 185 majority.
Tax Collector—E. T. BATTURS, K. N., 503 majority.

[1] See Chapter III.
[2] *Alta California*, May 7, 1855.
[3] *Ibid.*, June 1.
[4] *Alta California*, May 26, 1855.
[5] *Alta California*, May 28, 1855.
[6] *Ibid.*, May 30, 31.
[7] *Ibid.*, June 1.

Harbor Master—G. B. SCHAFFER, Dem., 141 majority.
City Marshal—HAMPTON NORTH, K. N., 3 majority.
Clerk Superior Court—J. B. McMINN, K. N., 217 majority.
City Attorney—BAILIE PEYTON, K. N., 54 majority.
Surveyor—J. J. HOFI, Dem., 314 majority.

COMMON COUNCIL

ALDERMEN

1st Ward.....CHAS. H. CORSER, Dem.
2nd " .....JOSEPH HOPKINS, Dem.
3rd " .....C. W. HATHAWAY, K. N.
4th " .....J. W. BRITTAN, K. N.
5th " .....J. M. TEWKSBURY, K. N.
6th " .....R. W. SLOCOM, Dem.
6th " .....R. RANKIN, K. N.
7th " .....WM. GREENE, Dem.

ASSISTANT ALDERMEN

1st Ward.....CHAS. WILSON, Dem.
2nd " .....R. J. TOBIN, Dem.
3rd " .....E. P. PECKNAM, K. N.
4th " .....H. J. WELLS, K. N.
5th " .....C. J. BARTLETT, K. N.
6th " .....J. VAN DE WATER, Dem.
7th " .....W. H. DOW, K. N.
8th " .....J. B. BEIDEMAN, Dem.

Thus, the Know Nothings were swept from control of the city government of San Francisco within two months after they had won complete victories in Sacramento and Marysville.[8] It was not a decisive defeat, however, and the Know Nothings swept ahead to win control of the state in the fall elections of the same year (1855). But, once the Know Nothing organization reached maturity, it began to disintegrate, and the members of that Order continued to receive setbacks in local elections.

In Marysville the Know Nothings were in power one year, beginning with the election of March, 1855. The following year, the Democrats and the anti-Know Nothings combined to overthrow the Know Nothing regime and elected Levi Hite as mayor.

In Sacramento, the Know Nothings remained in power for one year, following the election of April, 1855. As the election of 1856 drew near, the Know Nothings and Democrats each prepared for the contest. But, the Know Nothings could no longer pose as a reform party. Their state convention of 1855 had shown clearly that politicians were in the saddle, and the existing Know Nothing state administration was not one of which a reform party could be justly proud.

On March 24, the *Union* announced the complete ticket for municipal offices nominated by the Know Nothings. This ticket was headed by L. C. Harris for mayor. The editor of the *Union,* although generally a strong supporter of the Know Nothings, was a little dubious as to the purity of this ticket. He declared:[9] "To say that the nominations are the best in every case which could have been made, would be saying what we do not believe. Some of the nominations could have been improved very considerably, but taken as a whole, it is a very fair ticket — as good, if not better, than the average of tickets nominated on such occasions."

[8] See Chapter IV.
[9] *Union,* March 24, 1856.

On March 25, the Democratic nominations were announced. B. B. Redding was their choice for mayor, and the rest of the ticket was "not as strong as might have been framed, from the materials the convention had before it." The attitude of the Union indicates that neither ticket was good. It declared:[10] "Well, both tickets are now before the people, and those who don't like all the names on either can make their selection from the crowd." Evidently the Know Nothings had sacrificed much of their old popularity and had fallen to the corrupt level of the old political parties of the community.

They were defeated in the election, which was held on April 7, 1856. The city administration went entirely to the Democrats, with the exception of the following offices, to which the Know Nothings elected their candidates:

Superintendent of Schools—DR. F. W. HATCH.
Alderman, First Ward—J. W. L. HUNT.
School Commissioners, First Ward—DR. C. H. BRADFORD, and DAVID MADDUX.

It was said that the Republicans, then being organized for the coming national campaign, generally voted for the Democratic candidate for mayor because he was "a northerner by birth, and at heart opposed to the extension of slavery."[11] The following discussion of the election reveals the superior organization of the Democrats and gives an insight into their procedure:[12]

The real fact is, the Democrats outworked, out-bragged, and out-bet, if they did not out-cheat the Americans. The leaders like good generals, as they really are politically, determined to carry this city if money, and hard work, and any sort of voting would do it — and they have done it. Numbers of the managing men, including Gwin and Broderick, were here from San Francisco, and they had everything so arranged that they had votes enough in the ballot boxes before the other party were fairly at their work, in the morning, to decide the election. The Democracy needed triumph here to regain a portion of the prestige they lost last year, and to enable them to open the campaign hopefully for next summer (presidential campaign of 1856), and they were willing to bleed freely to ensure success.

Thus, while the Know Nothings were in control of the state administration, the Democrats began undermining their organization by defeating them in local elections. It was a hard struggle, but the far-sighted Democratic leaders combined their efforts, put up fairly good candidates, and spared no means to win these local campaigns. They were looking forward to winning back a majority in the state legislature, and these local elections were undoubtedly important in deciding the fall election, of 1856, in which, as we have seen, the Democrats were completely victorious.

After the Know Nothings were swept from control of the legislature in 1856, they played no important part in local elections. Their place was taken by People's tickets, which carried out the work of reform formerly expected from the Know Nothings. In San Francisco, under the new Consolidation Act, the election of November, 1856, placed in office the People's ticket, which had been organized solely to ratify and continue the political "house-cleaning" so effectively conducted by the Vigilance Committee.[13]

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[10] *Union,* March 25, 1856.
[11] *Ibid.,* April 9.
[12] *Ibid.*
[13] Bancroft, VI, 703, 704; *Alta California,* November 5, 1856.

In the Sacramento election of April, 1857, the Democrats defeated the People's ticket because the Republicans placed their ticket in the field, splitting the opponents of the Democrats.[14] But in Marysville the People's ticket was successful in the spring of 1857, and the Democrats were turned out of power.[15] In fact, there was a general reform in local politics in the state in 1856 and 1857, and the People's party was most effective in bringing it about. But the Know Nothings had ceased to be an important factor in local politics. Their defeats in 1856 seemed to have completely checked their progress in the state.

The Democratic legislature, which faced Governor Johnson and the other Know Nothing administrative officers in 1857, gave them a sharp blow by bringing impeachment proceedings against Henry Bates, treasurer, and George W. Whitman, controller of the state. These two were tried at the bar of the senate, which resolved itself into a high court of impeachment.[16] Bates was convicted and was declared forever afterwards disqualified from holding any office of trust, honor, or profit under the state.[17] Whitman was successful in refuting the charges brought against him, and his trial resulted in an acquittal on all points of the impeachment.[18]

Impeachment of the Know Nothing state administrative officers did not cast a favorable light upon the party, which had been organized under the banner of reform, and many members of the party were ready to disband the organization early in 1857. The first important declaration advocating such a course came from Henry S. Foote, who had been the caucus nominee for United States Senator in 1856. On March 31, 1857, he published a letter addressed to the members of the party, expressing his views on the expediency of discontinuing the party organization.[19] In this letter Mr. Foote declared that the party "was originally organized mainly for the purpose of securing the faithful execution of the compromise measures of 1850, of suppressing the agitation of the slavery question, and of preserving the union from dangers which seemed to menace it from the prevalence of feelings of fierce sectional hostility in two opposite quarters of the confederacy; that the party in California had been at all times wholly untainted either with the heresy of abolitionism or with that of secession; that universal religious toleration had been with them a cardinal principle, and that with regard to the naturalization laws they had contented themselves with simply insisting upon their judicious revision; that the presidential contest had passed, and a new and bright era had dawned; and that there was much promise in the administration of President Buchanan."[20] Mr. Foote's conclusion was that:

> Such a cabinet as Buchanan has formed, and such political views as are announced in the inaugural, should command universal confidence, and give most gratifying assurance that for the next four years, at least, the republic will be in the enjoyment of complete repose;

[14] *Union,* March 13, 21, 30, 31, April 7, 8, 1857.
[15] *Ibid.,* March 18.
[16] *Senate Journal,* 1857, 142, 143, 297-304, 340-346; Hittell, IV, 199.
[17] *Senate Journal,* 1857, 406, 408-425, 457-465; Hittell, IV, 200.
[18] *Senate Journal,* 1857, 268, 437-447, 569-601, 744-748; Hittell, IV, 200.
[19] *Bulletin,* April 2, 1857; Davis, 79, 80.
[20] Summarized in Davis, 79.

that its great domestic interests will be carefully guarded and assiduously promoted, and the honor of the American nation be wisely and fearlessly maintained in every quarter of the globe. I have, therefore, no hesitation in declaring that I can see no propriety in attempting to keep up the distinctive organization of the American party, either in California or elsewhere. . . .

Soon after this letter was published, a meeting of the leading members of the Know Nothing party took place in Sacramento. This meeting occurred behind closed doors in the State Assembly Hall on April 29, 1857, and the following were present: Jesse O. Goodwin, of Yuba; J. G. McCallum, of El Dorado, and William T. Ferguson, of Sierra, members of the senate; A. J. Stevenson, of Solano, of the Assembly; James T. Farley, of Amador, late Speaker of the Assembly; David F. Douglass, of San Joaquin, Secretary of State; Jesse D. Carr, of Santa Cruz, Frank Hereford, W. G. Wallace, G. W. Bowie, Dr. Bowie, and John C. Barr, of Sacramento. It was rumored that they came to the conclusion that it would be useless to attempt to keep up a distinct organization upon the old issues, and fully endorsing the principles laid down in the Inaugural of President Buchanan, determined hereafter to stand upon that platform.[21]

This was not an official meeting of a Know Nothing council, however, and there were soon signs of a revival of Know Nothing activity in the state. Within the next two months there were several meetings of the Know Nothings of Sacramento County. These meetings were probably attended by the leaders of the Order from other parts of the state, who were members of the legislature or officers of the state. At these meetings plans were made for reorganization of the American party, and it was generally understood, that:[22]

If their plans should be seconded by other councils throughout the state, there will be a reorganization of the American party in California upon a basis materially different from that which has hithertofore prevailed. All obligations of secrecy and tests are . . . to be abolished. The old system of councils is to be abolished. The principles of the party are to be clearly and publicly promulgated, and all that will be necessary to become a member is an espousal of these principles. The club system, as adopted by other existing parties, is to be inaugurated, and thus the American party will take the field. . . .

The Sacramento County council of Know Nothings soon reorganized their local Order, and recommended that similar action be taken throughout the state.[23] The same county council issued an address to the American party in the state of California on July 8. This addressed declared:[24]

The American party of Sacramento county have fully recovered from the discouraging effects of the defeat in the last campaign. They hear their brethren in the Atlantic States sounding the note of preparation and marching joyfully to the field. In every quarter of the state our friends are awaking to action, and the propriety, nay, absolute necessity of a State Convention, to nominate a state ticket, is no longer a question. . . .

After thus rallying the party and crying for action, the Sacramento council called upon "the American party and its friends to meet in state convention on the 28th day of July." Meanwhile, meetings of local councils of the Know Nothings had taken place in various other parts of the state, and at several of

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[21] *Union,* April 30, 1857; Davis, 80.
[22] *Bulletin,* June 30, 1857; *Union,* June 27, 1857.
[23] *Union,* June 29, 1857: gives text of reorganizing resolution.
[24] *Ibid.,* July 8; *Bulletin,* July 8, 1857.

them the question of continuing the organization had been discussed and "resolutions to disband were voted down."[25] The Know Nothings had recovered somewhat from their defeat in 1856, and were determined to reorganize and enter the gubernatorial campaign of 1857 with a full ticket.

In response to the call, a state convention met in the Assembly Chamber in Sacramento on July 28. Dr. Joseph Powell, of Sacramento, was elected temporary chairman, and on permanent organization, O. C. Hall, of Sierra, was chosen president, and J. M. Day, of Placer; F. Knox, of San Francisco; T. L. Reed, of El Dorado; and R. S. Mesick, of Yuba, vice presidents.[26] In the evening session of the 28th, a lengthy debate took place on the proposition to adjourn without making nominations. This course was advocated by H. B. Janes, Samuel Platt, and Franklin Knox, of San Francisco, and D. P. Tallmadge, of El Dorado. These delegates favored the election of Edward Stanly, the Republican candidate for governor, and hoped the strength of the Know Nothing party would go to his support. They were strongly opposed by those who favored the Democratic candidate, Weller, and the convention finally determined to present a straight Know Nothing ticket to the people. This was not done, however, until after those opposing such action had attempted to show that the convention was acting without authority, representing only 14 out of 34 counties, and called by the *Sacramento County council* rather than by the state council. H. B. Janes produced a letter, written by the Grand President of the California Order of Know Nothings to Bailie Peyton, of San Francisco, which revealed that the *Sacramento County council* "had assumed the responsibility" of countermanding the proclamation of the state president postponing the date of the state convention, and had suppressed the publication of that proclamation.[27] But, as the opposition to continuing the convention seemed to come only from the San Francisco delegates, it was finally overcome, and the business of making nominations proceeded. There was little competition for nominations, however, as few cared to run on a ticket which everyone believed certain of defeat. On the 29th, the following nominations were made:

For Governor—GEO. W. BOWIE, of Sacramento.
For Lieutenant-Governor—DR. J. A. RAYMOND, of Shasta.
For Attorney-General—T. B. McFARLAND, of Nevada.
For Surveyor-General—LUCIEN B. HEALY, of Santa Clara.
For Controller—G. W. WHITMAN, of Tuolumne.
For Printer—B. H. MONSON, of San Francisco.
For Treasurer—J. R. CRANDALL, of Placer.
For Supreme Court Justice—J. H. RALSTON, of Sacramento.

The convention adopted as its platform the following resolutions:[28]

1. That we cordially endorse the platform and principles adopted by the national American convention at Louisville, Ky., on the 4th day of June, 1857.

2. That we have an abiding faith in the truth of our political creed, and that we will struggle in the future, as we have struggled in the past, to engraft the policy of our party upon the legislation of the country.

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[25] Davis, 80.
[26] *Union*, July 29, 1857.
[27] *Ibid.*, July 30.
[28] *Union*, July 30, 1857; Davis, 81.

3. That we still hold to the fundamental principle of our party, that "Americans shall rule America," and that our naturalization laws should be so amended as to insure, on the part of the applicant, a just appreciation of the rights and duties of an American citizen.

4. That the American party is in no way responsible for the recent intense excitement of national issues; and that a restoration of the brotherly feelings that should actuate one great national people, can only be accomplished by the permanent success of the national American party.

5. That the main objects of the American party being to promote American interests, and to cherish American nationality, the construction of a Pacific railroad — thus bringing the extreme portions of the country into close contact, and promoting the welfare of all — would be a natural and certain consequence of the triumph of the American party.

6. That the American party of California acknowledge it as a duty paramount above all others of a local character to protect settlers upon Spanish grants in their just rights and claims. We believe that laws designed to protect *bona fide* settlers in their improvements are not only absolutely necessary in order to secure confidence and prosperity, and to encourage agriculture and trade, but are also constitutional and just. The wants of the people require, and equity and good conscience demand such laws, and while the past history and recent actions of the Democratic party in this state exhibit a record of broken faith, we refer for the sincerity of our professions to our past efforts in this behalf, and to the character of the men whom we present for the suffrages of the people.

7. That we consider it our duty to recommend to the electors of this state to vote in favor of paying the state debt; that while we have the utmost abhorrence for the party corruptions which saddled this onerous burden on us, we yet would find it still more grievous to bear the load of obloquy and shame which repudiation of the claims of innocent creditors would earn for us and our posterity.

8. That the Democratic party of California is responsible for the long course of improvident legislation and official corruption which has finally brought the state to the verge of bankruptcy, and it is not fit longer to be in power.

9. That the American party of California, during its partial success in 1856, did more, by way of legislation, for the protection of the state from corrupt officials, than the Democratic party has done during all the years of its misrule; and that the recent discovery of official unworthiness has been the result of stringent laws passed by an American legislature.

10. That we will use every possible effort to select none but honest men for office, and the fact that we have in some instances been deceived, will only make us the more vigilant in this behalf hereafter.

11. That while the salaries and fees of some offices, both county and state, are sufficiently low, yet in many instances, they are so extravagant as to amount to a heavy burden upon the people, and we pledge the influence of the American party to effect still further reductions in the fees of office, with a view of making such offices less desirable to the incumbents thereof, and of removing motives for corruption in obtaining them.

The National Council of the Know Nothings met at Louisville in June, 1857, and abolished the council system, putting a national committee at the head of the party.[29] Nevertheless, the California Know Nothing convention felt that mere endorsement of this platform was not enough, and passed the following resolution:[30]

That the organization of the American party in the state of California shall hereafter be under the direction of a State Central Committee, and the State and Subordinate Councils are hereafter abolished.

That no obligations of secrecy shall hereafter be required of the members of the American party in this state, and all American citizens shall be eligible to membership thereof.

Consequently, the convention selected a Know Nothing state central committee to serve as the official head of the organization of the American party in California. This committee was selected just previous to adjournment of the convention and consisted of the following:[31] A. P. Catlin, J. Powell, W. C. Wallace, of Sacramento; Bailie Peyton, F. Knox, M. M. Noah, of San Francisco; D. P. Talmadge, D. K. Newell, of El Dorado; R. S. Mesick, of Yuba; Arch. Mc-

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[29] Scisco, 193; *Union*, July 30, 1857.
[30] *Union*, July 30, 1857.
[31] *Ibid.*

Donald, of Yolo; B. F. Burton, of Nevada; H. R. Hawkins, of Placer; R. M. Briggs, of Amador; J. M. Stewart, of Tuolumne; R. M. Payton, of San Joaquin; O. C. Hall, of Sierra; and A. R. Andrews, of Shasta. This committee, henceforth, replaced the Grand Council at the head of the Know Nothing organization in the state, and the secret council system was replaced by a series of committees and clubs similar to those of other political parties.

The action of the Know Nothings in putting a complete ticket in the field was a hard blow to the Republicans, and it practically assured the Democrats of success. It had been hoped that the American party would unite with the other opponents of the Democrats, and when the convention finally nominated a ticket and determined to launch a separate campaign, the Republicans immediately declared "the convention was a humbug—that it was managed by Weller men, and Southern Democrats, expressly with the view of electing the Democratic ticket."[32] The tables were turned. Just as the Republicans had ruined the prospects of the Know Nothings in the campaign of 1856, now the Know Nothings killed the Republican chances for victory.

The Republicans had made their nominations in a state convention in Sacramento, July 8, 1857.[33] Their ticket was headed by Edward Stanly, nominee for governor. On July 14, the Democrats met and nominated their ticket.[34] Their candidate for governor was John B. Weller. The "Settlers and Miners" held a convention at Sacramento on July 3. The sessions of this convention were stormy, and its proceedings were entirely controlled by the concerted action of the delegates from San Francisco and Sacramento.[35] Under strong Republican pressure, the convention endorsed Edward Stanly for governor.

During the campaign repeated charges were made that the Know Nothings were acting merely as a tool of the Democrats. The California *Chronicle* said:[36] "The American organization is not able to do much, and the ticket of that party was only put forward for the purpose of assisting in the election of Mr. Weller, by preventing the Northern men who voted for Fillmore from voting for Mr. Stanly." The *Alta California* was of similar opinion:[37] "The 'Americans' do not pretend to expect the election of any of their candidates, and it is openly charged that the defunct carcass of Know Nothingism was only galvanized into muscular action again for the purpose of aiding the Democratic party."

The results of such a campaign were easily predicted. The election was held on September 2, and the entire Democratic ticket was elected. The Know Nothings ran a poor race, while the Republicans were unable to do better. The Democrats held a clear majority over the combined votes of their opponents, as may be seen from the following table of the election returns:[38]

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[32] *Union,* August 4, 1857.
[33] Davis, 74.
[34] *Ibid.*
[35] Davis, 83.
[36] Quoted in the *Union,* August 22, 1857.
[37] *Ibid.*
[38] *State Register,* 1859, 186-187.

	DEMOCRAT	REPUBLICAN	KNOW NOTHING
Governor	WELLER—53,122	STANLY—21,040	BOWIE—19,471
Lt. Governor	WALKUP—57,334	CHESEMAN—16,800	RAYMOND—19,718
Justice of the Supreme Court			
(Long term)	FIELD—55,216	BENNETT—18,944	RALSTON—19,068
(Short term)	BURNETT—54,991	BENNETT—10,550	RALSTON— 7,710
Controller	MANDEVILLE—57,048	GUNN—16,498	WHITMAN—19,842
Treasurer			
(Long term)	FINDLEY—57,641	STANFORD—16,529	CRANDALL—19,348
(Short term)	ENGLISH—55,266	STANFORD— 4,390	CRANDALL— 7,271
Surveyor-General	HIGLEY—55,858	RANDALL—18,205	HEALY—19,703
Attorney-General	WILLIAMS—55,561	SARGENT—18,418	McFARLAND—19,701
Printer	O'MEARA—57,274	MURDOCH—16,365	MONSON—19,797

The charges of the Republicans were somewhat sustained, and it was declared that the Know Nothings "did not turn out, and most of those that did, voted for Weller." Stanly openly condemned the Know Nothings for aiding the Democrats, and referred to them as the "chivalry Know Nothing Democrats."[39]

The new state legislature was almost wholly Democratic.[40] Two Know Nothing senators were held over by virtue of their unexpired terms, and the party succeeded in electing one other to that body. In the new assembly there were only four Know Nothings. The Know Nothing members of the legislature of 1858 were as follows:

SENATORS

E. T. BURTON, of Nevada (elected 1857).
RICHARD MESICK, of Sutter (held over).
JESSE O. GOODWIN, of Yuba (held over).

ASSEMBLYMEN

R. M. BRIGGS, of Amador.
JOHN H. TATMAN, of Mariposa.
JAMES K. SMITH, of Nevada.
MOSES STOUT, of Sacramento.

The defeat of 1857 sounded the death knell of the Know Nothings. They never again attempted a campaign in the state of California. The secret councils were no longer a part of their organization, and they no longer required oaths, or used a secret ritual. The control of the party was supposedly under a series of committees, national, state, and local, but these ceased to function and the party passed out of existence.

In the campaign of 1858, the California Know Nothings played no part. But in 1859, they made a final gesture on the political stage, when the local organization of the American party in San Francisco, "in view of the present chaotic conditions of the various political parties . . . deemed it advisable to elect from the various tickets in the field, the names of such as are known to be qualified to fill the respective positions for which nominated, and THAT ARE AMERICANS AT HEART."[41] This organization was so unimportant in the campaign, however, that aside from its own paid advertisement it was not mentioned in the newspapers of the day. The Know Nothing party in California was dead.

[39] *Union,* September 11, 1857.
[40] For a complete list of its members, see the *Union,* October 1, 1857.
[41] *Alta California,* September 5, 1859.

CHAPTER VIII.

CONCLUSION

The meteoric career of this political organization is unequaled in California history. The Know Nothing Order rose within a year to include in its ranks a majority of the voters of the state, and yet it was unable to live beyond its single year in power.[1] The peculiar combination of circumstances which led to its success did not last long, and the decline of the Know Nothing party was as rapid as its ascent to power.

A brief summary of the doctrines of Know Nothingism will reveal that they could not have been the basis for a successful political organization in California. Their one fundamental doctrine was nativism, including anti-foreign and anti-Catholic sentiment in about equal parts. But politicians in California had good reasons to favor foreign-born and Catholic citizens. The census of 1860 shows that over three-eighths of the population of California were foreign born.[2] There were likewise many Catholics in California. The earliest colonizers had been missionaries of the Catholic church. The settlements of this new state were clustered around Catholic missions, and the population was largely Catholic in faith.[3] It would have been difficult for a political party to have succeeded in opposition to the foreign-born citizens, and it would have been impossible to have successfully opposed both foreigners and Catholics. Proscription, moreover, was incompatible with the frontier spirit, and anti-foreign and anti-Catholic agitation would have alienated not only the members of those two groups but also a large number of those, who, in true western style, were inclined to "live and let live," and to oppose all narrow bigotry and intolerance.

Confronted by such circumstances, the organization of Know Nothings in California practically abandoned the nativistic doctrines of their national organization. They almost immediately discarded the anti-Catholic principle, declaring themselves in favor of "universal religious toleration,"[4] and they greatly minimized the anti-foreign doctrine of the Order. It was on this latter point, however, that the California Know Nothings were nearest to conformity with the regular principles of Know Nothingism, for in their state campaigns anti-foreign agitation was coupled with the ultra-American propaganda of the party. It is to be noted, however, that the anti-foreign agitation was not directed against the Spaniards and Orientals, although these comprised an alarming number of the population of California. The Know Nothings were opposed to undue *political influence* on the part of foreign-born citizens, and therefore their activity was directed chiefly against the Irish and German ele-

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[1] The Know Nothings controlled the legislature in 1856 only, although their administrative officers served two years, from 1856 to 1858.

[2] *Eighth Census of the United States*, 1860, I, 34, Table 5. The total population was divided as follows: Foreign, 146,528; Native, 233,466.

[3] There are no available statistics which give the proportionate number of Catholics in the state at this time.

[4] See the state platform, Chapter V.

ments because these entered into and became an important factor in politics, whereas the Spaniards and Orientals were of little political significance.

We have previously noted that the Know Nothings developed into a "Union-saving" party. In order to avoid sectional conflict which might lead to a division of the Union, they tried to ignore the slavery question and to substitute in its place an issue upon which both North and South could unite—*nativism*. "No North and no South" came to be a slogan of the party. This was a satisfactory doctrine for California, but the national Know Nothing organization soon proved unable to stand firmly in the middle of the road, and its ranks became divided on the very question which it chose to ignore. In California, the old parties were already substantially divided on the slavery issue, and an organization drawing the two elements together was in constant danger of splitting.

According to these doctrines of the Order, genuine Know Nothingism did not exist in California. It was in spite of these principles, rather than because of them, that the Know Nothings successfully swept over the state. The real causes of their success came from the peculiar conditions in California at the time.

The secret character of the Order was a strong attraction to many men. The secret meetings, the possession of secret ritual, signs, passwords, grips, and the secret membership of the Know Nothings were a lure which drew thousands of Californians into its councils. In the rough pioneer life of the 50's, the thrill of participating in the acts of such an organization, and in attending its formal meetings, filled a wide gap in the social life of the average member. To combine politics with such a romantic association was an excellent method of attracting and controlling a large number of voters — at least until the charm of mystery had worn away, replaced by the clash of the personal ambitions of various cliques within the Order. Membership cost nothing, there were no dues, and it is little wonder that large numbers of the men in California flocked to the secret Know Nothing councils seeking diversion in this new type of political organization.

But there was another reason for the rapid growth of the Know Nothings in California. This secret Order arrived at an opportune time in California politics. Political corruption in both local and state offices had grown so shocking in its faithlessness to public trust, that the better citizens were anxious to turn to anything which promised to overthrow the existing regime. Thus, the reform element welcomed the formation of the Know Nothing councils, hoping that they might purify California politics. This secret political machine was considered as a possible solution of a bad political situation. The Know Nothing leaders took advantage of this and declared reform to be one of their cardinal principles.

In addition to the leaders of reform, there were accomplished political organizers in the Know Nothing Order in California. The astute and scheming politicians of the state were anxious to ride on the political band wagon at all times.

Consequently, there were many political leaders, who anticipated the success of the Know Nothings and joined in order that they might further their own political ambitions. This was especially true of the decadent Whigs, and also of the "chivalry" Democrats, who wished to defeat the Broderick "Tammany" Democrats in 1855.

But, as we have seen, the success of the Know Nothings in California was of brief duration. Their rapid decline was largely due to the fact that they did not succeed as a reform party. They soon fell under the control of politicians of the old school, and, consequently, those who joined solely to aid the reform movement quickly abandoned the Order. Similarly, the politicians soon deserted the Know Nothing party. They never considered it a permanent party, and its lack of leadership and discipline prevented its becoming a real political party. A third cause for its rapid decline came from the fact that the romantic glamour, which attracted so many to the secret Order, was soon displaced by a realization of the sordid truths of political manipulation. The final blow came from the continuation of the slavery controversy, which eventually split the national party and led many to desert the California Order.[5] The issue of Americanism gave way to that of slavery.

The Know Nothings in California stand as a temporary party bridging the gap between the breakup of the old parties and the rise of the Republicans, with the accompanying realignment of political parties taking definite sides on the slavery controversy. They were a conglomeration of diverse political factions, momentarily thrown together by a peculiar combination of circumstances, but their organization disintegrated with startling rapidity when these circumstances were altered by the progress of time.

APPENDIX A

THE KNOW NOTHING SECRET RITUAL[1]

FIRST DEGREE COUNCIL

To be admitted to membership in this Order the applicant shall be:

1. Proposed and found acceptable.
2. Introduced and examined under the guaranty of secrecy.
3. Placed under the obligation which the Order imposes.
4. Required to enroll his name and place of residence.
5. Instructed in the forms, usages, and ceremonies of the Order.
6. Solemnly charged as to the objects to be attained and his duties.

(A recommendation of a Candidate in the Order, shall be received only from a Brother of approved integrity. It shall be accompanied by minute particulars as to name, age, calling and residence, and by an explicit voucher for his qualifications and a personal pledge for his fidelity. These particulars shall be recorded with the Secretary in a book kept for that purpose. The recommendation may be referred, and a ballot taken at such time and in such manner as the State Council may prescribe; but no communication shall be made to the Candidate until the ballot shall be declared in his favor. Candidates shall be received into the ante-room by the Marshal and Secretary, and shall be sworn by them over a Douay

[5] That group of Know Nothings who were sincerely opposed to all sectional controversies, and who wished to save the Union from "any and every attempt" to destroy and weaken its bonds, were prominent in the organization of the Constitutional Union party in 1860. Many former Know Nothings were in the Union convention in California, 1860. See Davis, 124.

1 This text of the secret ritual of the Know Nothings in California was published in the Democratic State *Journal*, of August 21, 1855, but did not include the passwords, signs, grips, etc. These I have filled in from the ritual found in Cooper, 57-68.

Bible, with the letters I. H. S. and a cross stamped on the back and on the outside of both lids of said Bible.)

OUTSIDE

MARSHAL. Do you believe in a Supreme Being, the Creator and Preserver of the Universe?

(Ans. "I do.")

MARSHAL. Before proceeding further, we require a solemn obligation of secrecy and truth. If you will take such an obligation will you lay your right hand upon the Holy Bible and Cross.

(When it is known that the applicant is a Protestant, and belonging to the sect called Quakers, affirmation may allowed.)

OBLIGATION

You do solemnly swear without any mental reservation or hesitation, whatever, upon this Holy Bible and Cross, before Almighty God and these witnesses, that you will never divulge any question propounded to you here, whether you become a member of this Society or not; and that you will never, under any circumstances whatever, reveal the name or names of any person or persons you may see present during any of the meetings of this Society, that you will true answers make to any and every question propounded to you. So help you God. (Each answers, "I do.")

MARSHAL. The questions I have to propound to you are these:

Where were you born?

Where is your permanent residence?

(If born out of the jurisdiction of the United States, the answer shall be written; the candidate dismissed with an admonition of secrecy, and the Brother vouching for him suspended from all the privileges of the Order, unless upon satisfactory proof that he has been misinformed.)

MARSHAL. Are you twenty-one years of age?

(Ans. "I am.")

MARSHAL. Do you acknowledge any allegiance, foreign or otherwise, of a political or religious character, equal or superior to your allegiance to the Constitution and laws of the United States?

(Ans. "I do not.")

MARSHAL. Are you a member of any Society, Association, or Organization, or do you acknowledge, or are you bound by any spiritual, religious, or temporal power, that can, in your opinion, absolve or release you from any oaths or obligations that you may take in this Society?

(Ans. "I am not.")

MARSHAL. Are you willing to use your influence in favor of, and to vote only for native born American citizens to fill all offices of honor, profit, or trust in the gift of the people, or of their representatives, to the exclusion of all persons who may belong to any Order, Society or Sect, that acknowledges, or may be bound by any political, religious, or other allegiance to any foreign power, prince, or potentate?

(Ans. "I am.")

INSIDE

(The Marshal shall then repair to the Council in session and present the written list of names, vouchers and answers, to the President; who shall cause them to be read aloud, and a vote of the Council to be taken on each name, in such manner as prescribed by its By-Laws. If doubts arise in the ante-room they shall be referred to the Council. The candidates declared elected shall be conducted to seats within the Council, apart from the Brethren. When all are present the President by one blow of the gavel shall call to order and say:)

PRESIDENT. Brother Marshal, introduce the Candidates to the Vice President.

MARSHAL. Worthy Vice President, I present you these Candidates who have duly answered all questions.

VICE PRESIDENT. *(Rising in his place.)* Gentlemen, it is my office to welcome you as friends. When you shall have assumed the patriotic vow by which we are all bound, we will embrace you as brothers. I am authorized to declare that our obligations enjoin nothing which is inconsistent with the duty which every good man owes to his Creator, his country, his family, or himself. We do not compel you against your convictions, to act with us in our good work; but should you at any time wish to withdraw, it will be our duty to grant you a dismissal in good faith. If satisfied with this assurance, you will each rise upon your feet, *(pausing until they do so)* place your left hand upon your breast, and raise the right hand towards Heaven.

(The Brethren remain seated until called upon.)

OBLIGATION

In the presence of Almighty God and these witnesses, you do solemnly promise and swear that you will not betray any of the secrets of this Society, nor communicate them even to proper candidates, except within a lawful Council of the Order; that you will never permit any of the secrets of this Society to be written, or in any other manner be made legible except for the purpose of official instruction; that you will not vote for nor give your influence for any man for any office in the gift of the people, unless he be an American born citizen, in favor of Americans ruling America, nor if you have reason to believe that he acknowledges or is bound by any temporal, religious, or spiritual allegiance to any foreign prince, potentate, superior or equal to his allegiance to the laws and constitution of the United States and of this state,[2] that you will in all political matters, so far as this Order is concerned, comply with the will of the majority, though it conflict with your personal preference, so long as it does not conflict with the Constitution of the United States of America, or of the State in which you reside; that you will not, under any circumstances whatever, knowingly recommend an unworthy person for initiation, nor suffer it to be done if in your power to prevent it; that you will not under any circumstances whatever, expose the name of any member of this Order, nor reveal the existence of such an Association; that you will answer an imperative notice, issued by the proper authority; obey the command of the State Council, President, or his Deputy, while assembled by such notice, and respond to the claim of a *sign* or *cry* of the Order, unless it be physically impossible; and that you will acknowledge the State Council of California as the Legislative head, the ruling authority, and the Supreme tribunal of the Order in the State of California, acting under the jurisdiction of the National Council of the United States of North America. Binding yourself in the penalty of excommunication from the Order, the forfeiture of all intercourse with its members, and being denounced in all Societies of the same as a wilful traitor to your God and your country.

(The President shall call up every person present by three blows of the gavel, when the candidates shall all repeat after the Vice President, in concert:)

All this I voluntarily and sincerely promise with a full understanding of the solemn sanctions and penalties.

VICE PRESIDENT. You have now taken solemn oaths and made as sacred promises as man can make that you will keep all our secrets inviolate, and we wish to distinctly understand that he that takes these oaths, and makes these promises, and then violates them, leaves the foul, the deep and blighting stain of perjury resting on his soul.

PRESIDENT. (Having seated all by one blow of the gavel.) Brother Instructor: These new Brothers having complied with the demands of the Order, are entitled to the secrets and privileges of the same, you will therefore invest them with anything appertaining to the First Degree.

INSTRUCTOR. Brothers, the practices and proceedings in our order are as follows: "We have pass-words, necessary to be used to obtain admission to our Councils; forms for our conduct while there; means of recognizing each other, when abroad; means of mutual protection; and methods for giving notices to members.

At the outer door you *(make any ordinary alarm to attract the attention of the outside sentinel)*.[3]

When the wicket is opened you will pronounce the (words—*what's the pass*), in a whisper. The outside sentinel will reply *(Give it)*, when you will give the term pass-word and be admitted to the ante-room. You will then proceed to the inner door and give *(one rap)*. When the wicket is opened, give your name, the number of, and location of your council, the explanation of the term pass, and the degree pass-word.

If these be found correct, you will be admitted; if not, your name will be reported to the vice president, and must be properly vouched for before you can gain admission to the Council. You will then proceed to the center of the room and address the *(President)* with the countersign, which is performed thus *(Placing the right hand diagonally across the mouth)*. When this salutation is recognized, you will quietly take your seat.

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2 The Know Nothings in California modified the original anti-Catholic phrase, which was: "That you will not vote, nor give your influence for any man for any office in the gift of the people, unless he be an American born citizen, in favor of Americans ruling America, *nor if he be a Roman Catholic . . .*"

3 The secret signs, etc., are taken from Cooper, 65-68. Of them, he says: "In the ritual the words in parenthesis are omitted. In the key to the Ritual, they are written in figures — the alphabet used being the same as printed below. So throughout.

KEY TO UNLOCK COMMUNICATIONS

A	B	C	D	E	F	G	H	I	J	K	L	M
1	7	13	19	25	2	8	14	20	26	3	9	15
N	O	P	Q	R	S	T	U	V	W	X	Y	Z
21	4	10	16	22	5	11	17	23	6	12	18	24

The sign is peculiar to this degree, and is never to be used outside the council room, nor doing the conferring of this degree. When retiring, you will address the *(Vice-President)* in the same manner and also give the degree pass-word to the inside sentinel.

The 'term pass-word" is *(We are).*

(The pass-word and the explanation is to be established by each State Council for its respective subordinates.)

The "explanation" of the "term-pass," to be used at the inner door is *(our country's hope).*

The "degree pass-word" is *(Native).*

The "traveling pass-word" is *(The memory of our pilgrim fathers).*

(This word is changed annually by the President of the National Council of the United States, and is to be made and used only when the brother is traveling beyond the jurisdiction of his own state, district, or territory. It and all other pass-words must be communicated in a whisper, and no brother is entitled to communicate them to another, without authority from the presiding officer.)

The "sign of recognition" is *(grasping the right lapel of the coat with the right hand, the forefinger being extended inwards).*

The "answer" is given by *(a similar action with the left hand).*

The "grip" is given by *(an ordinary shake of the hand).*

The person challenging shall *(then draw the forefinger along the palm of the hand).* The answer will be given by *(a similar action forming a link by hooking together the ends of the forefinger);* when the following conversation ensues — the challenging party first saying *(Is that yours?).* The answer, *(It is).* Then the response *(How did you get it?),* followed by the rejoinder *(It is my birth-right).*

Public notice for a meeting is given by means of a *(piece of white paper the shape of a heart).*

(This notice will never be passed, but will be scattered or thrown upon the sidewalk with a . . . in the center.)[4]

If information is wanting of the object of the gathering, or the place, etc., the inquirer will ask of an undoubted brother (Where's when?). The brother will give the information if possessed of it; if not it will be yours and his duty to continue the inquiry, and thus disseminate the call throughout the brotherhood.

If the color of the paper *(be red),* it will denote actual trouble, which requires that you come prepared to meet it.

The "cry of distress" — to be used only in time of danger or where the American interest requires an immediate assemblage of the brethren — is *(oh, oh, oh).* The response is *(hio, hio, h-i-o).*

The "sign of caution" — to be given when a brother is speaking unguardedly before a stranger — is *(drawing the forefinger and thumb together across the eyes, the rest of the hand being closed),* which signifies "keep dark."

Brothers, you are now initiated into and made acquainted with the work and organization of a council of this degree of the Order; and the Marshal will present you to the worthy President for admonition.

PRESIDENT. It has no doubt been long apparent to you, Brothers, that foreign influences subversive of the political and religious freedom of our country, have been making steady and alarming progress amongst us. You cannot have failed to observe the significant transition of the foreigner, influenced by political and religious sentiments adverse to our free institutions, from a character quiet, retiring, and even abject, to one bold, threatening, turbulent, and despotic in its appearance and assumptions. You must have become alarmed at the systematic and rapidly augmenting power of these dangerous and unnatural elements of our national condition. So is it, Brothers, with others besides yourselves, in every State in the Union. A sense of danger has struck the great heart of the nation. In every city, town and hamlet, the danger has been seen and the alarm sounded. And hence true men have devised this Order as a means of disseminating patriotic principles, of keeping alive the fire of national virtue, of fostering national intelligence and of advancing America and American interest, on the one side, and on the other of checking the stride of the foreigner and alien, and of thwarting the machinations and subverting the deadly plans of foreign powers, princes and potentates.[5]

(Note — The President shall impress upon the initiates the importance of secrecy, the manner of proceeding in recommending candidates for initiation and the responsibilities of the duties which they have assumed.)

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4 This sign was not deciphered in the key to the Ritual; see Cooper, 65.

5 The Know Nothings in California modified the original anti-Catholic phrase, which was: " . . . thwarting the machinations and subverting the deadly plans of the *papist and Jesuit.*"

SECOND DEGREE COUNCIL

MARSHAL. Worthy President, these brothers having been duly elected to the Second Degree of this Order, I present them to you for obligations.

PRESIDENT. Brothers: You will place your left hand upon the right breast, and extend your right hand towards the flag of our country, preparatory to obligation. (Each Council Room should have a neat American flag festooned over the platform of the President.)

OBLIGATION

You, and each of you, of your own free will and accord, in the presence of Almighty God and these witnesses, your left hand resting on your right breast, and your right hand extended to the flag of your country, do solemnly and sincerely swear that you will not, under any circumstances disclose, in any manner, nor suffer to be done by other, if in your power to prevent it, the name, signs, passwords, or other secrets of this Degree, except in open Council, for the purpose of instruction; that you will, in all things conform to all the rules and regulations of this Order, and to the Constitution and By-Laws of this or any other Council to which you may be attached, so long as they do not conflict with the Constitution of the United States, nor that of the State in which you reside; that you will, under all circumstances, if in your power so to do, attend to all regular signs or summons that may be thrown or sent to you by a brother of this or any other degree of this Order; that you will support in all political matters, for all political offices, members of this Order, in preference to other persons; that if it may be done legally, you will, when elected or appointed to any official station conferring on you the power to do so, remove all foreigners, aliens, and persons holding religious or temporal allegiance to foreign powers or princes,[6] from office or place, and that you will, in no case, appoint such to any office or place in your gift. You do also promise and swear that this and all other obligations which you have previously taken in this Order shall ever be kept through life, sacred and inviolate. All this you promise and declare, as Americans, to sustain and abide by, without any hesitation or mental reservation whatever. So help you God, and keep you steadfast.

(Each will answer, "I do.")

PRESIDENT. Brother Marshal, you will now present the brothers to the Instructor, for instructions in the Second Degree of the Order.

MARSHAL. Brother Instructor, by direction of our worthy President, I present these brothers before you that you may instruct them in the secrets and mysteries of the second Degree of the Order.

INSTRUCTOR. Brothers, in this degree we have an entering-sign and a counter-sign. At the outer door you will make *(as in the first degree)*. At the inner door you will make *(two raps)*, and proceed as in the first degree, giving the second degree pass-word, which is *(American)*, instead of that of the first degree. If found to be correct, you will then be admitted, and proceed *(to the center of the room)*, giving the counter-sign, which is made thus *(extending the right arm to the national flag over the president, the palm of the hand being upwards)*.

The sign of recognition in this degree is the same as in the first degree, with the addition of *(the middle finger)*, and the response to be made in a *(similar manner)*.

Marshal, you will now present the brothers to the worthy President for admonition.

MARSHAL. Worthy President, I now present these candidates to you for admonition.

PRESIDENT. Brothers, you are now duly initiated in the Second Degree of this Order. Renewing the congratulations which we extended to you upon your admission to the First Degree, we admonish you by every tie that may move patriots to aid us in our efforts to restore the political institutions of our country to their original purity. Begin with the youth of our land. Instil into their minds the lessons of our country's history — the glorious battles and the brilliant deeds of patriotism of our fathers, through which we received the inestimable blessings of civil and religious liberty. Point them to the example of the sages and statesmen who founded our government. Implant in their bosoms an ardent love for the Union. Above all else keep alive in their hearts, the memory, the maxims, and the deathless example of our illustrious WASHINGTON.

Brothers, recalling to your minds the solemn obligations which you have severally taken in this and the first degree, I now pronounce you entitled to all the privileges of membership in this Second Degree of our Order.

THIRD DEGREE COUNCIL

MARSHAL. Worthy President, these Brothers having been duly elected to the Third Degree of this Order, I present them before you for obligation.

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6 The Know Nothings in California modified the original anti-Catholic phrase, which was: " . . . remove all foreigners, aliens, or *Roman Catholics* from office or place, . . . "

PRESIDENT. Brothers, you will place yourselves in a circle around me, each one crossing your arms upon your breasts and grasping firmly each other's hands, holding the right hand of the brother on the right, and the left hand of the brother on the left, so as to form a circle, symbolical of the links of an unbroken chain, and of a ring which has no end.

(Note — This degree is to be conferred with the National Flag elevated in the center of the circle, by the side of the President or Instructor; and not on less than five at one time — in order to give it solemnity, and also for the formation of the circle — except in the first instance of conferring it on the officers of the State and subordinate Councils that may be empowered to progress with the work. The Obligation and Charge in this Degree may be given by the President or Instructor, as the President may prefer.)

OBLIGATION

You, and each of you, of your own free will and accord, in the presence of Almighty God and these witnesses, with your hands joined in token of that fraternal affection which should ever bind together the States of this Union — forming a ring, in token of your determination that, so far as your efforts can avail, this Union shall have no end — do solemnly and sincerely swear, that you will not under any circumstances disclose in any manner, nor suffer it to be done by others if in your power to prevent it, the name, signs, passwords or other secrets of this Degree, except to those whom you may prove on trial to be brothers of the same Degree, or in open Council for the purpose of instruction; that you do hereby solemnly declare your devotion to the Union of these States; that in the discharge of your duties as American citizens, you will uphold, maintain and defend it; that you will discourage and discountenance any and every attempt coming from any and every quarter, which you believe to be designed or calculated to destroy or subvert it or weaken its bonds; and that you will use your influence so far as in your power in endeavoring to procure an amicable and equitable adjustment of all political discontents or differences which may threaten its injury or overthrow. You do further promise and swear, that you will not vote for any one to fill any office of honor, profit, or trust of a political character, whom you know or believe to be in favor of a dissolution of the Union of these States, or who is endeavoring to produce that result; that you will vote for, and support for all political offices Third, or Union, Degree members of this Order, in preference to all others; that if it may be done consistently with the Constitution and laws of the land, you will when elected or appointed to any official station which may confer on you the power to do so, remove from office or place all persons whom you know or believe to be in favor of a dissolution of the Union, or who are endeavoring to produce that result; and that you will in no case appoint such persons to any political office whatever. All this you promise and swear, upon your honor as American citizens and friends of the American Union, to sustain and abide by without any hesitation or mental reservation whatever. You also promise and swear, that this and all other obligations, which you have previously taken in this Order, shall ever be kept sacred and inviolate. To this you pledge your lives, your fortunes and your sacred honors. So help you God and keep you steadfast.

(Each one shall answer, "I do.")

PRESIDENT. Brother Marshal, you will now present the brothers to the Instructor for final instruction in this Third Degree of our Order.

MARSHAL. Instructor, by direction of our worthy President, I present these brothers before you, that you may instruct them in the secrets and mysteries for the Third Degree of our Order.

INSTRUCTOR. Brothers, in this Degree as in the Second, we have an entering password, a degree password, and a token of salutation. At the outer door *(make an ordinary alarm)*. The outside sentinel will *(say U; you say NI; the sentinel will rejoin ON)*. This will admit you to the inner door. At the inner door you will make *(three)* distinct *(raps)*. Then announce your name, with the number (or name) and location of the council to which you belong, giving the explanation to the password, which is *(safe)*. If found correct, you will then be admitted, when you will proceed to the center of the room, and placing the *(hands on the breast with the fingers interlocked)*, give the token of salutation, which is *(by bowing to the President)*. You will then quietly take your seat.

The sign of recognition is made by the same action as in the second degree, with the addition of the *(third finger)*, and the response is made by *(a similar action with the left hand)*.

The grip is given by taking hold of the *(hand in the usual way, and then by slipping the finger around on the top of the thumb)*; then extending the *(little finger and pressing the inside of the wrist)*. The person challenging shall say, *(Do you know what that is?)*. The answer is *(Yes)*. The challenging party shall say, further, *(What is it?)*. The answer is, *(Union)*.

The instructor will here give the grip of this degree, with explanations, and also the true password of this degree, which is *(Union)*.

CHARGE

(To be given by the President)

PRESIDENT. Brothers it is with great pleasure that I congratulate you upon your advancement to the Third Degree of our Order. The responsibilities you have now assumed are more serious and weighty than those which preceded, and are committed to such only as have been tried and found worthy. Our obligations are intended as solemn avowals of our fathers, and to the happiness and welfare of our children. Consecrating to your country a spirit unselfish, and a fidelity like that which distinguished the patriots of the Revolution, you have pledged your aid in cementing the bonds of a Union which we trust will endure forever. Your deportment since your iniatition, has attested your devotion to the principles we desire to establish; and has inspired a confidence in your patriotism of which we can give no higher proof than your reception here.

The dangers which threaten American Liberty arise from foes without, and from enemies within. The First Degree pointed out the source and nature of our most imminent peril, and indicated the first measure of safety. The Second Degree defined the next means by which, in coming time, such assaults may be rendered harmless. The Third Degree, which you have just received, not only reiterates the lessons of the other two, but is intended to avoid and provide for a more remote but no less terrible danger ffom domestic enemies to our free institutions.

Our object is briefly this: — to perfect an organization, modelled after that of the Constitution of the United States, and co-extensive with the Confederacy. Its object and principles, in all matters of National concern to be uniform and identical, whilst in all local matters, the component parts shall remain independent and sovereign within their respective limits.

The great results to be attained — the only one which can secure a perfect guarantee as to our future — is UNION; permanent, enduring, fraternal UNION. Allow me then to impress upon your minds and memories the touching sentiments of the Father of his country, in his farewell address: — "The UNITY of government, which constitutes you one people," says WASHINGTON, "is justly dear to you, for it is the main pillar in the edifice of your real independence, the support of your tranquility at home, of your peace abroad, of your safety, your prosperity, even that liberty you so justly prize. . . .

It is of infinite moment that you should properly estimate the immense value of your National Union, to your collective and individual happiness. You should cherish a cordial, habitual and immovable attachment to it; accustoming yourselves to think and speak of it, as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now bind together the various parts."

Let those words of paternal advice and warning, from the greatest man that ever lived, sink deep into your hearts. Cherish them, and teach your children to reverence them, as you cherish and reverence the memory of Washington himself. The Union of these States is the great conservator of that liberty so dear to the American heart. Without it, our greatness, as a Nation would disappear; and our boasted self-government prove a signal failure. The very name of liberty, and the hopes of struggling Freedom throughout the world, must perish in the wreck of the Union. Devote yourselves then to its maintenance, as our fathers did to the cause of independence; consecrating to its support, as you have sworn to do, your lives, your fortunes, and your sacred honors.

Brothers, recalling to your minds the solemn obligations, which you have severally taken in this and the preceding Degrees, I now pronounce you entitled to all privileges of membership in this Organization; and take pleasure in informing you that you are now members of the Order of *(the American Union)*.[7]

BIBLIOGRAPHY

I.

THE KNOW NOTHING PARTY IN CALIFORNIA

The Know Nothing party has been strangely neglected in California historical writings, consequently, there is little material to be found in secondary authorities. Manuscript collections contain occasional references to the secret organization of Know Nothings, but they are not of sufficient value to warrant mention as source materials. Similarly, biographical

7 Originally the *Order of the Star-Spangled Banner.*

studies give scant attention to the story of the Know Nothings in California. There were official records of the Know Nothing councils, but the only remaining traces of these are found in newspapers of the time, which occasionally printed secret Know Nothing documents.

In obtaining a general background for this study, the following works were of some service:

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Public documents were of some value, especially in tracing the work of the Know Nothings in office. The fact that such documents ignore the existence of political parties, however, lessened their value considerably for this study. Citations have been made to the following:

California Statutes, 1856.
Journals of the California State Assembly, 1854-1857.
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The State Register and Year Book of Facts. San Francisco, 1857, 1859.
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By far the greater part of the material here used has been found in newspaper files for the period when the Know Nothings were active. Newspapers of the day were usually strongly pro- or anti-Know Nothing, but in either case their columns were filled with comment on that organization. Allowing due consideration for the political bias of the contemporary editors, the present work has been written largely from their reports of the Know Nothing organization and activity. The following files have been used:

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II.

THE KNOW NOTHING PARTY IN THE UNITED STATES

The following bibliography is divided into two general classes of works, (A) *Contemporary Writings,* and (B) *Political and Historical Researches.* In the present work, reference has been made to only a few of the authors listed here, but for a thorough study of the Know Nothing party in the United States, all of the works here included would be of service.

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1 Bancroft Library at the University of California, Berkeley.
2 State Library at Sacramento.

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"CALIFORNIA'S BANTAM COCK"

THE JOURNALS OF CHARLES E. DE LONG, 1854-1863

Edited by Carl I. Wheat

(CONTINUED)

THE JOURNAL FOR THE YEAR 1857*

[On the flyleaf appears the following:]

C E De Long
Poughquag
Dutchess Co
New York

FEBRUARY 1857

Sun. 1, — At Home; heard that the Ravine Co at Camptonvill[e] had paid $3590. at one cleaning up, this set me up in my prospects; hurra for home one of these days[1]

Mon. 2, — Somewhat unwell; attended the regular monthly meeting of the Thespian Society; was again elected Stage manager for the coming month; appointed St Valentine's eve for our first public exibition

Tue. 3, — Very unwell to day laying around the House out of spirits and out of almost everything else

[No entry for February 4.]

Thu. 5, — Around home almost all day a little unwell, the weather quite cold, the boy's painting some scenery and prepairing the Hall for the Thespian Society In the evening went to Camptonvill with Judge May on our way to the Keystone Ranch to attend a trial of the case in Tresspass entitled Tirrell et al's vs Townsend et al's, about mining claim on Galena Hill; stopped at the U S Hotel[2] had an oyster supper

Fri. 6, — Clear and very cold started before daylight arrived at the Keystone took Dinner and then went up to the Indiania Ranch; Court called and an other application made by the Plaintiff's for a change of venue on three diffrent grounds prejudice of the citizen's; the Court wanted as a witness;

*The opening of 1857 found De Long "keeping Store" at Young's Hill with George King. Business must have been good during January, for during that month he forgot his diary altogether. The "Thespians" had meanwhile been steadily at work, and on the eve of Washington's Birthday they gave their first performance and — according to the diarist — covered themselves with glory. De Long's mining claims were doing well, though March saw his livery stable venture go by the boards. Late in March the Thespians performed once more — their last appearance, so far as can be ascertained. From time to time the diarist wrote for various newspapers and magazines, and this period saw him turn with energy to the serious business of "reading law." He was also slowly acquiring a small library of such legal classics as Blackstone, Kent and Chitty. Late in May his name was first broached for the Legislature, and the next day he entered the political lists, emerging victorious at the election of September 2. Some time later that month he journeyed to Marysville and was admitted to the bar, and on the last day of September he hung out his shingle at Young's Hill. Shortly thereafter he made an arrangement to engage in the practice of law in Marysville in partnership with an able, older lawyer, General George Rowe, a former Yuba County official, as soon as the Legislature should have adjourned, and late in December he left "the Hill" for Sacramento, where the last days of 1857 find him getting settled and acquainted with his fellow lawmakers.

and the prejudice of the Court; granted on the last no place determined upon by the Court; went down to the Keystone and staid all night; Townsend footing the bill; a very cold day thawing but little even in the sun

Sat. 7, — Started for home, stopped at Dingman's; made out paper's for him to commence attachment suit against Cain et al's for lumber left them with him to take before Judge Canon; came on to Fosters searched Judge Crowell's[3] docket, preparatory to commencing suit against him for malfeasance in office, and for damage's in suit entitled John Holme's vs Dingman & Co; took copy of complaint in case entitled Sprowl vs Wood's et al's, saw Joseph Groves about claim and came on home by the way of Camptonvill, very cold day; sit up all night playing card's at Whitcomb's lost about $15—. Paid Livingstone & Co $5 for sheeting for the Society and seven dollar's for knee breeche's;

Sun. 8, — Went to bed with Harve Carpenter and slept till noon got up and went to Camptonvill with Allis[4] and Lester to get our clothes cut at the tailor's; paid $5.50 for gold lace; came home tired of the trip, bought some paper and some other fixins; reced of Judge Slingerland $200 as satisfaction of judgement in case entitled De Long vs Gallagher; bought this book; Paid McCormick $20 on note due on claim

Mon. 9, — At home the weather still quite cold; reced of Judge Slingerland $77.50 in satisfaction of judgement in case entitled Tudor vs G. W. Butler, as Plaintiff's attorney; paid Tom $9.00 money loaned Tudor by him to pay jury fee's; went to work in the Hall with the boy's and worked all day painting scenery &c; Rehearsed Bamboozling had singing by the quartett club &c a pretty good time held a consultation with May about the Billing's case Concluded to wait for them to commence

Tue. 10, — Worked a little in the Hall to day had a small dispute i relation to the management; Rehearsed the Pride of the Market some of t women in costume, had a trombone player; no singing and altogether rathe long dry affair; weather moderated to day and commenced raining at nigh., Townsend came over to day, brought the mining law's of the Hill and also a notice from Judge Moody of New York Flat, that their case would be tried on Friday next at 11 Oclock A M

Wed. 11, — At home all day doing nothing much; had an attachment for twenty three hundred and eighty dollar's and 3 cents served on me and King by Reinhart & Bro's levied on King's claim on the Hill, our Dadd's Gulch claim and my claim at Camptonville wrote out notice to Sheriff for Beckwith and Adkinson claiming the two claim's here; sold good's in Store to Whitcomb and my half the store to Slingerland paid judgement of Tudor's to Carter;[5] Rehearsed Bamboozle in the evening and had some song's by the club; raining during the day and quite hard to night

Thu. 12, — Raining hard this morning went to Galena Hill and from there to Camptonville met May and started with him for New York Flat,

arrived at the New York House just at dark wet through the storm still continuing with unabated fury. put up for the night;

Fri. 13, — Still storming like fun; saddled up and went to New York Flat to attend the trial of Tirrell et al's vs Townsend et al's; Court called by T F Moody Esq;[6] Dr Bartholomew[7] appeare[d] as associate counsel with us; McQuaid for Plaintiffs a jury being demanded, by request Court adjourned until morning to meet at Moore and Rumrey's; Attended a ball in the evening at Moore & Rumry's not a very large party oweing to the storm; had a pretty good time; and went to bed about 3 oclock, still storming and blowing like fury.

Sat. 14, — Raining and storming still; Court called by the Judge, trial progressed with every appearance of success, closed the evidence at half past eleven at night and by agreement submitted the case by agreement without argument jury retired and after deliberation of about half an hour returned with a verdict for full amount for Plaintiff's; never was worse disappointed in my life; still storming furiously

Sun. 15, — Raining like thunder; busied ourselve's in making out the appeal bonds and other paper's neccessary in order to appeal came over in the afternoon to the New York House, found some of the boy's there and stopped there all night; ceased raining some with a small prospect of clearing up, Dry Creek booming like a river; road's very muddy and bad

Mon. 16, — Got up in good season and started for the Keystone Ranch to attend suit for Dingman & Co vs Cain & Co Plaintiff's appeared and judgement obtained for full amount by default an answer to complaint was sent over by McQuaid offering to confess judgement for half the amt; — Argued the question with Mr J L Lockwood whether sluice boxes were exempt from execution and gained the point;[8] came home saw Dr Grove's had been guar-fied [sic] by Reinhart & bro's promised to come up Wednesday; came home and had a devil of a time getting here fording creek's and wallowing through soft ground got home about 9 oclock at night; then went to singing school[9] but did not stay long it rained by squirts almost all day and grew cold; found snow on top of Notowa[10] and here

Tue. 17, — Around home all day doing nothing in particular, quite cold and clear, almost, went around the Hill to see the caves, almost all the boys' claims filled up shafts and all by the large caves caused by the storm; went home and busied myself in fixing up my papers and letter's and in entering cases in my docket, snow on the ground about an inch in depth rehearsed Bamboozle at Mr's Young's[11]

Wed. 18, — Morning bright and clear, hunted up some of the boy's and went at work in the Hall; staid there until, Judge May came for me to assist him in a case against Smith & McQuaid of Woolenschneider vs Goveror; case continued and paper's certified to District Court[12] on affidavit of party that it would entail proof of title to real estate which would take the case out of the jurisdiction of a Justice of the Peace;[13] took case for them with May for

$200. made me a hat for preforming, got a feather of Mr's Smith; rehearsed the Pride of the Market, in the Hall had a good rehearsal, and afterward a dance, storming some mostly snow

Thu. 19, — Morning bright and clear Streets muddy with but little business stirring, boy's went to Camptonvill after their costumes, whilst the rest of us worked in the Hall my coat did not come but with Knee breeches and Top boots I went to rehearsal Woolenschneider, wanted to make over property to us, and give us $200 to defend the suit agreed to take it

Fri. 20, — Weather mild but squally, went to work in the Hall, George went to Camptonvill after thing's I borrowed $15 of Whitcomb payable Sunday, sent order to Andrew's[14] for fees for May and I $45 collected it; [George] did not get my coat, paid $15 for his $5 for leggin's, and $4 for shoes bought rubber's for his wife &c, came back and paid me $20 of the money; Thespians met and rehearsed Bamboozling Pride of the Market and singing; — Drew up complaint for George McHardy against John M Crowell for assault and Battery Brown to go after him to morrow

Sat. 21, — Things came over by Farley[15] did not suit worth a cent Dr Groves came up gave him article of agreement with Cyrus Durst heard that Reinhart had indemnified the Sheriff; Brown came back, Prisoner to come Tuesday; concluded to open with the Thespian's stuck up the bill's and worked until dark, great excitement, opend house at 8 oclock had quite a large house took in ninety one dollar's at the door; made an address to the crowd, com[mence]d and everything went off to the highest kind of satisfaction crowd delighted with us, reced a thousand compliment's, had a little dance on the stage and after the Ladie's went home a free and easy in the Green Room until 2; oclock[16]

Sun. 22, — Spent the day in running around town doing nothing much only preparing for a case of May's to morrow; W L Hall vs Uriel Gates and Wm. Ball; visited the Ladie's and spent a pleasant day, Mr's Smith & Schultz with H Carpenter and Mr G Allis went to San Juan to a Ball, pleasant day, made out paper's in an attachment suit for Timothy Warren vs Joel H Seabury, to attach his house; gave Brown order's for subpoenaing two witnesses in the morning

Mon. 23, — Pleasant day, had a trial, of Hall vs Gates & Ball, win the suit but got mad as thunder against McQuaid; Reced an invitation from him for the Thespian's to come to Camptonvill; went down in the diggin's to watch some trees cave in stopped there until night di[d]n't come down, went to singing school, and went to sleep; got up waited on women home went into the Store and lost $4,50 at poker came home and went to bed

Tue. 24, — Raining hard this morning, attended a suit for McQuaid and got it continued, Dr Webber, vs Lawless; Parties appeared in case of the People vs J M Crowell Esq, Prisoner demanded Counsel and, the officer was sent for McQuaid he arrived and case went to trial, had a long pettifogging arduous case, swore no witnesses only for the People win the case like a Book, and

receed fifteen dollars of McHard[y] on my fees for attending to it, Prisoner held until morning to await judgement, Raining furiously all day and all night set up until 4 Oclock playing poker at Whitcomb's lost $25—

Wed. 25, — Snowing fast, Court called and, a fine of $30— or imprisonment in the County Jail until paid awarded by the Court upon J M Crowell Retained by Darneil[17] in his case entitled E M Darnell vs J H Seabury, had the same ajourned until Monday next at 10 Oclock: Storming hard all day, Snowing most of the time, and all the girl's and boy's gone to San Juan, had a singing school at night attended it with Mr's Young.

Thu. 26, — Storming like fury this morning a mixture of snow and rain nothing much doing in town this morning, Court called and case of Warren vs Seabury ajourned until Monday at twelve O'clock loafed around town all day splosh almost knee deep toward night stopped storming and looked as if it would clear away; received a letter to day from Reinhart stating that he had released our property from attachment; nothing new transpired through the day, spent some of the evening at Mr. Schultze's and stopped there over night.

Fri. 27, — Sun rose bright and clear, and the snow was taken with a sudden leaving, went all around the Hill with Darneill, down on the creek and saw the tail sluice run like a river; wrote a local song for Lester Penty[?] returned home from San Juan in the afternoon: About three oclock com-[mence]d raining like fury and is still pouring down; wrote a piece for the Inquirer[18] for Geo McHardy, wrote a letter to George Black, and one to Mary W Noxon, stormed all night. Went to singing school

Sat. 28, — Very fair weather snow all gone, spent the day in runing around the Hill with Slingerland watching caves; a rather blue day anyway, at night had a meeting of the Thespian's; Mr H Carpenter elected Stage Manager in my place finished a letter to Mrs C E De Long,

MARCH 1857

Sun. 1, — Bright fair day, went out walking with the Ladie's; looking at the diggin's; wrote a letter to James Reid; gave advice to Brigs's also to Carpenter; played some billiard's and spent the day easily; collected the note for Tim Warren; went to church in the evening and attended Mr's Allis home and spent a pleasant evening with them.

Mon. 2, — Fair day, attended Court and obtained judgement for Darneil against Seabury and also for Tim Warren; went down to see the diggin's; George Wilcox buried at the bottom of a 60 foot shaft in a tunnel while engaged in tapping it, James Rankin was with him and washed clear through the tunnel; George Timm's in an ajoining claim caved on but escaped; all hand's quit work to assist in getting out the body of Wilcox worked until night without success had to wash ton's of earth which passed over his body.[19]

Tue. 3, — All hand's still working to get George out; half masted the flag and made preparations for his funeral, about two o Clock they succeeded in

getting him out; four men on a windlass and 20 men on a rope could not pull one foot out; brought him up and buried him in the afternoon, large procession nearly everybody in town followed him to the grave; returned and in the evening held a meeting and drew up resolutions and a preamble to be published here and at home, I was Secretary, raised $15 to pay the Minister; meeting ajourned went to singing school. Reced two letter's from Geo Black, one from S Stevens, & one from G W McHardy and one from Chas Nelson

Wed. 4, — Attended Court before Slingerland in case entitled, Somerville & Co vs S M Briggs, as attony [sic] for Plaintiff got nonsuited[20] by Judge May, because the note drawn payable on demand had not been demanded before suit was brought; made out another complaint and started a new suit returnable Tuesday next did not much like the nonsuit being the first time I was served so, but twas not my fault as I did not make out the paper's: Wrote a letter to the Cali[fornia] Express about G Wilcox for publication;[21] attended a meeting of the Thespians at Mr Allise's done nothing; went to Whitcomb played poker and lost $15; reced $25 of Tim Warren as fee's in his case.

Thu. 5, — Went to Foster's Bar to attend a suit for Geo McHardy; reced $50 of H Carpenter to pay Pete Labadie, sent him $75 on act; obtained a change of venue in the case to Keystone Township had a long talk with the Irish boy's about politic's past, present, and future, thing's look fair ahead, reced a letter long and good from Mary, was well pleased with it and only loved her more;[22] went around a little while in the evening, and then came home and applied myself to my studie's

Fri. 6, — Done nothing much to day but study law a little and watch them minining [sic], gave Mr's Smith some advice relative to her suit for divorce, pleasant weather almost like spring.

Sat. 7, — Pleasant day to day, air as balmy as May at home, spent the forenoon in running around the Hill; and the afternoon in studying some; had a serenade at Mr Schultze's; wrote a glee song for the Thespians

Sun. 8, — Devoted part of the day to study and part to recreation, toward evening it clouded up and before night comd raining slightly

Mon. 9, — Spent the day in prepairing for some suits and in running around the hill, subscribed for the National Magazine[23] drew up assignment's of judgement to Steven Spencer[24] in the two cases, of Darneill vs Seabury and Warren vs Seabury could not settle on ac[coun]t of the cost's being taxed wrong and Brown being absent; — Sprinkled a little this morning but cleared up before night

Tue. 10, — Cool and frosty this morning Dun & Somervill came over to attend trial but were mistaken in the day the day being set for Thursday; went with them and Slingerland to the suspension and spent the forenoon in waiting to see them raise a tower;[25] quite warm to day spent the afternoon in idleness and the evening at singing school

Wed. 11, — Pleasant day to day with nothing doing; sent Fancy sketch of a

Miner's Dream to Hutching's Magazine for publication,[26] nothing but loafing the order of the day to day

Thu. 12, — Cool in the morning but warm as summer through the day; — Case of Somerville vs Brigg's called to day, Defended by Judge May, win the case and got judgement for the full amount, the[y] fought it on the ground that the copy was not the same as the original note; agreed with Somervill to take the note and collect on halve's

Fri. 13, — Studied law in the forenoon and in the afternoon went over by request to Dadd's Gulch to settle a difference between Selfridge & Co and our Co settled it amicably, panned out a pan of dirt got $2.75 coarse gold. boy's took out 11 ounces in the forenoon out of a few boxe's; — A very warm sultry day like summer. Went to singing school in the evening paid Clarke $5— and Darneille $2.50

Sat. 14, — Nothing much doing to day a bright beautiful day, commenced suit for Orrin W Hodge against Johnathan Hayden for Labor, attached his diggins tunnell &c. — Henry Van Heusen came up from Marysville and brought us some play's, called a meeting of the Amateur's at Mr Allise's but done nothing much; went into a dance with some Dutch minstrel girl's and it ended in a drunken spree which kept up until 2 oclock, and ended in one of the girl's getting, spanked by Harve Beckwith; I went home with him and staid all night

Sun. 15, — Cloudy dull day, looked some like rain; got up in the morning feeling blue, got breakfast and went to bed again; got up about noon, settled with Mr Schultz, boy's came over from the Gulch, claim's paid about $500— paid all bill's, for water and c and reced $120.$^{75}/_{100}$ as dividend King's half went on his note to Spencer and I reced $45 from King and $10 from Dean, paid Hopkin's $20 and Whitcomb $10, saw Mr's Schultz and had a chat with her about affair's of Mary at Downievill came home and commenced a letter to M W N, completed it nearly went into Whitcomb's and spent the evening at poker lost $40. rained hard for a few minutes during the night

Mon. 16, — Felt bad got up and finished my letter to Mary, sent it by George Mix to Camptonvill, and also a Sierra Citizen with my story of Pandora in it;[27] went to bed awhile in the forenoon got up with [t]he headache, studied law like a trooper for tomorrow, and made my arrangement's for going down to Keystone, reced $20 of Harve to pay Pete Labadie; Wrote off my cast in the Irish Tiger of Sir Charles Lavender.[28]

Tue. 17, — Got up early feeling awful sick headache and stiffness all over drooped around all day not knowing what to do with myself, weather ominou's of storm, could not go to Foster's felt bad about it, first man I have disappointed in a professional appointment

Wed. 18, — Comd raining last night and rained quite hard until an hour or so after daylight; I feel awful to day, stiff neck and rheumatic pain's in both my shoulder's enough to knock my arm's off spent the day in gloominess. Ajourned the trial of Hodge vs Hayden until Friday by consent of partie's.

Thu. 19, — Weather a little more moderate to day and I feel somewhat better, done nothing to day but write some, went to bed early; Made out paper's for C G Whitcomb vs Israel Shell, a dozen pitched on and Shell gone in, proved to have stolen some money from his partner's sluices! poor fellow

Fri. 20, — A very cool day for a clear one wind blew sharp, attend Court Judge Heath[29] appeared against me but the suit was again ajourned until tuesday next by consent of parties; settled up the affair's of the livery stable with Harve, they were not very satisfactory[30]

Sat. 21, — Heard that Mr Alexander at Dadd's Gulch was caved on and killed rained some during the night felt quite unwell

Sun. 22, — Was taken with sever pain in my stomach, knew I was in for a seige, curled up on the chair's all day but could not drive it off

Mon. 23, — Was very ill to day, appeared in Court for Hodge and obtained an ajournment until Thursday next on account of my inability Sent for Dr Link to come over but he did not come

Tue. 24, — Worse than ever this morning Dr. Link came over for trial on his case vs Coomb's,[31] Dft's applied for and obtained a change of venue to Rail Road Hill; Doct gave me an emetic which nearly knocked the wind out of me for good; Clouded up in the afternoon and comd to blow a perfect gale stormed hard almost all night

Wed. 25, — Sick as blue blaze's, dont care a cent whether school keep's or not managed to get out a little just before night but soon housed again; revived however a little toward night and went to rehearsal; rehearsed the singing and the Irish Tiger.

Thu. 26, — Felt very weak this morning but tried to fit up for the trial got at it opposed by McQuaid and Judge Heath, but came off gloriously triumphant, was quite weak so much so that I could hardly navigate; went to rehearsal in the evening rehearsed the Irish Tiger and Pride of the Market

Fri. 27, — Done nothing to day of any importance drew up a complaint for Jerry Well's against Johnson for possession of a mining claim; went around to the Hall and diggin's and in the evening rehearsed again

Sat. 28, — Cloudy dull day, comd the suit against Johnson, and busied myself preparing for the evening fixed up the Hall, met and rehearsed during the day; evening came and with it heavy rain; had a full house however took in $95; play's went off beautifully, got frequent applause as Sir Charles Lavender; — farewell Thespian's and with it much gay sport

Sun. 29, — Raining some this morning felt quite sore and stiff; did nothing much to day, sold stable to Schultze and reced, Clear Creek Ditch Scrip[32] from Harve; wrote out some notices for Atchison & Co to be served on Somerville & Co. Attended a meeting of the Thespian's, divided the fund's leaving $28.75 in treasury for future use; reced an invitation to attend the wedding of Mr Harvey Carpenter and Mrs. Mary Munger or Smith; (The Pride of the Market) very much surprised in co with everybody else; reced $45 from Dadd's Gulch as dividend

Mon. 30, — Got up at four oclock and saw them married, kissed the bride and tried to have a gay time but could not make it out; felt half sorry or sad and why I knew not; they left in company with Mr's Schultz for San Francisco; Mr's Schultz said Mr Hutching's had requested me to contribute to his magazine; — finished notice's for Atchison & Co paid old McCormick $25 on note and Beef bill $25—

Tue. 31, — Went over to Rail Road Hill afoot with Dr Link to attend Court; raining quite hard, Court ajourned two day's returned home; wet through done some more composing on my Miner's return;[33]

APRIL 1857

Wed. 1, — At home still quite unwell a case of the small pox in town every one scared up myself in particular

Thu. 2, — Went to Rail Road Hill to attend the trial of Dr Link, suit came on McQuaid against me, some one stole the Dr's Book's; got a verdict of $5— and cost's McQuaid filed notice of appeal went home with Mc to Camptonvill Reced three letter's one from Mary one from John Ferris and one from G I Mix with a note against Schultz enclosed for collection

Fri. 3, — Run around Camptonvill doing nothing saw Elwell, told me claim was pay[ing] $500 to the share per month got vaccinated by Dr Webber,[34] paid him $5—, Reced a letter from Carpenter with $10 enclosed for J S Slingerland as a marriage fee, paid $1 expressage on it; reced a dunning letter from Dan Dean; went home at night with Gus Lewis both rode the same horse wrote a letter for John Morgan[35] to S J Field[36] giving him an outline of a complaint against Peter Russel

Sat. 4, — Studied Chitty on Contract's[37] some to day, wrote some letter's to Judge Field's for the Atchison Co, took the evidence of N D Bradford[38] and forwarded that down also to Mr Field's; went around and looked at the Diggin's, rented the Hall to the Robinson Family for two night's at $15 per night; Wells told me he had settled with Johnson, charged him $20 reced $10

Sun. 5, — Around home all day doing nothing particular weather quite pleasant went to the Theatre in the evening a crowd from Rail Road Hill on a tight, play rather dry; Paul came over and demanded money on the lien on the House, let the matter stand until morning

Mon. 6, — Attended Court for Well's and moved the dismissal of the case; McQuaid appeared as counsel for Mr Coomb's and applied for a new trial I argued the motion with him, his motion was granted and Saturday next set for the trial, went to the theatre again to night better play and better audience; — [The following is crossed out: "Paul & Grey demanded money on lien on the House, tried to raise $150 of Tim's but could not, the matter rested until morning."] Paid them in a note of Klicks $150 George King paid 150 in a note

Tue. 7, — [Following is crossed out: "Paul came over borrowed $150 of John Klick, gave Shirkland for security."] Reced of John Schultz $45 on note

of G I Mix sent to me for collection in the evening George came up I got Whitcomb's mule and went down to Bullard's Bar with him and stopped all night weather quite fair paid him the money I collected for him

Wed. 8, — Went to the White Maple Spring's saw Pete Labadie about the Horse's all lost but Jack, came over to Dingman's, called in took dinner, went down to Foster's Bar Sargant[39] & other's wanted to sue Whitcomb, told them to make out their accounts and come up, staid all night with George McHardy, proposed to me to run for Tax Collector said Allen & Moore was out. quite warm to day

Suspension Flume across Brandy Gulch.

Thu. 9, — Came up home to day weather still warm, as summer, saw S Dorsey he wanted me to get a daugerreotype of the suspension [flume] and send to Hutching's Magazine together with an article[40] promised to do so went out with Johnny Schultze, to build a dark house worked all the afternoon at it came home, found Brun's the Baker, gave me an account against the Slate Creek Ditch Co for $227— to collect to receive $27 for so doing, went to Young he promised to pay Monday next.

Fri. 10, — Went out with Johnny Schultze took several Ambrotype's but none good came home at noon fatigued and lazy very hot day as warm as summer all I could do to keep awake, reced to [sic] power of Attornys of Brigg's for enforcement; Donnally was over, bet him the oyster's tha[t] he would not clean up $1000 in a week from our claim's in Dadd's Gulch he

wanted me to push Lewis on the note to pay me $25 for collecting, played a little poker in the evening win a few dollar's. Wrote out a couple of affidavit's and gave them to Link to take to the Hill in the morning

Sat. 11, — Went over to Rail Road Hill with Mr Schultze to attend Dr Link's trial applied for a change of venue had a long argument on the question of what cost's should be paid, change granted came home, very warm day; played poker in the evening at Smith's win $53; — played until morning. John Drumgoold, Pat Smith, and Raney and Levinthal in the game

Sun. 12, — Went to bed after breakfast and slept until about noon, got up two third's roasted laid around doing nothin all the rest of the day; Young paid me $227 in settlement of the account of Brun's on the Range, fee's for collecting $27— got into another poker game at Whitcomb's win $15— played until morning.

Mon. 13, — Tried to sleep but could not owing to the heat and business, wrote out a mortgage for John Drumgoold on his diggin's paid Brun's his $200— received, an article of agreement of Leventhal with Corner to commence suit upon, reced a note of Anderson upon Drumgoold for collection; made out the paper's, in a case, for Whitcomb against Johnson; played some more poker in the evening came out $2.50— loser quit about 2 o,clock saw Link, talked of abandoning his case against Coomb's

Tue. 14, — Warm fair day with nothing to do, gave advice in about a dozzen little case's without any fee's coming in, felt quite nervou's weighed myself weighed $126½[41] [sic]

Wed. 15, — Drew up order on Humbug Ditch Co[42] got Van Heusen to accept it, went with John Johnson to Rail Road Hill, got his suit with Whitcomb dismissed, at cost of Plaintiff, loaned W Ortman $5 to pay his fine with, came home fell in a sluice box on the way got well mudded and some hurt, came on home, weather very warm called on Mrs Meihl, collected some, bill's for her; was retained in a case in futuro, between Allis & co & Mr Schultz; by Allis & Co Wrote two letter's to M W N and one to John F Ferris

Thu. 16, — George I Mix came up to day weather quite warm, he advised with me relative to settling with Schultz, ran around the Hill with him all day, looking at the diggin's, in the evening had a council with Schultz Spencer and him, fell out but not seriously; went to Smith's got into a poker game quit about 12 O clock $15 winner; picked a fine bouquet and gave to Mr's Allis, alias (Louise de Volange) planned a party for the flume for Saturday

Fri. 17, — Got up in the morning with a slight head ache, weather quite cool & foggy, made out bills of sale for George I Mix & Spencer, Went to Camptonville with John Johnson, shooting between Gray & Bloody Bill, paid Mix ten dollar's saw Dr Grove's claim $500 in debt on my share; bought clothes; paid $18. went to Rail Road Hill submitted a motion, to

withdraw the application for a change of venue; Court required time to consider the matter, returned home, picked a bouquet, on the way, Hayden settled with Hodge, I recd $25. all satisfactory

Sat. 18, — Fine warm day, took a walk with Mr W Neely Johnson,[43] Mr's Allis Mr's Young and a man by the name of Welch to the Suspension flume, picked some fine bouquet's on the way, came home and went to Camptonvill with Johnson went to Bennett's & Co's Circu's[44] had a pleasant time in town saw Moore and had a long talk with him about running for tax collector

Sun. 19, — Fine day to day and nothing particular doing; boy's came over from Dadd's Gulch with $80 ounce's of Dust from our claim's, three week's work, for two men played a little poker in the evening win $25.— paid Slingerland ten dollar's Harve's wedding fee; Retained by Meaner to commence suit for his property attached by Buckly & Co

Mon. 20, — Warm pleasant day to day, old Tommy Mitchell came up to day and I comd suit for him against, Patrick Elmar[?]. Young Reardean over to day on a visit thinking of locating Bucked at Faro a little win about $20— went to Smith's and took a hand or two at Keno.[45]

Tue. 21, — Spent the forenoon doing nothing much; Dave Sargant came up after me in the forenoon and retained me to come to Foster's Bar as Counsel for W. Ortman in an action for assault with deadly weapon, went down was opposed by McQuaid plead former conviction in bar got an ajournment until Thursday came up to Camptonvill with McQuaid and Jack Keeler came over home, paid $2.50 for mule hire $1 for toll & $1 for poor Whiskey. weather warm and fair.

Wed. 22, — Warm day to day; drew up Bill of Sale and Chattel Mortgage for Harvey Beckwith; fees $10 turned $25 fee's for collecting note for Donnelly on a debt of King's; Parties appeared in case entitled Mitchell vs Elmar; Plaintiff could not prove anything and got nonsuited; — Ortman sent up word that I must look to the State for my fee's I sent him word to go to Hell. sent my Dadd's Gulch gold to Marysville to be assayed by Harvey Beckwith, amount at $17 per oz $531. sent by him for Wood's Digest[46] and Chitty on Contract's

Thu. 23, — Doing nothing much to day staid at home all day studying some but loafing more; drew up two complaint's against Samuel Brigg's, at request of A E Cowsby (a negro) one for Petit Larcency and one for damage's in non fullfilling a contract. — Picked a nice bouquet and presented to Mr's Young

Fri. 24, — At Home, warm bright day went out Quartz Hunting with Hall and Johnson found a Ledge panned out some and got a very fair prospect; burned some of the quartz in a hole; picked a bouquet, returned home, gave the bouquet to Mrs. King. Harve Beckwith returned.

Sat. 25, — Nothing doing to day; John Greis sued A Fout's; Fout's came to me for advice I told him to let them rip, as he had nothing that they could

get. Harve Beckwith, paid me $529.^{55}/_{100}$ dust assayed $18.08 per oz. Bought only one Book said it was Reynold's Digest,[47] not yet come up; I paid note to Klick of $153.00 also, Judge Slingerland $80 for Geo King; Boy's up from Oregon Hill some of them went over to Tompkins to a ball. I went with the other's around town played a little at faro and a little at Keno.

Sun. 26, — Got up pretty late, the weather quite cool, went with the boy's over to the suspension; showed them the theatre and so forth nothing doing in particular in town, a good deal of gambling and drinking; drew up an assignment of a note in the evening and some other papers for Peter McKeon to commence suit against the Clear Creek Co, went down town and lost $3.50 at poker

Mon. 27, — Finished McKeon's paper's and got them served; Comd suit for George McHardy against some Irish on Foster's for digging up his side-walk,[48] comd it under the eleventh division, in the name of the People. Paid M Pratt $25, store act, paid Darneille $6.50. rented the Hall to the Sager troupe[49] for $15. for to night, reced my book Crocker's Digest[50] paid $1.25 expressage on it went to hear the Sager's in the evening, some thing's pretty good old woman fiddled &c but all in all the girl's were the homblest I ever saw anywhere

Tue. 28, — Fine day to day nothing much going on, Sager's left town to be back soon, to give us another entertainment and a dance reced $15— of them for the use of the Hall paid it to Hopkin's on ac[coun]t of beef bill, bought a Webster's unabridged dictionary gave $9 for it; had a meeting of the Thespian's in the evening to consider what to do with our scenery, determined upon calling a meeting Thursday evening and getting some of our own number elected as trustee's; met at Allisse's and had a good time, Brown came up with the prisoner's, McQuaid & Reardon appeared for them answered and obtained an ajournment until tomorrow

Wed. 29, — Partie's with their witnesses appeard to day and the trial commenced Mc & Reardon, for defence, had a long protracted trial plenty of cross swearing and legal sparring case submitted to the jury after dark jury retired and returned without a verdict, sent back again returned again without a verdict and on motion were discharged. Partie's arraigned their difficulties and I entered a nolle prosequi in the cas[e]. Came home sick as a dog and went to bed, fee's due from McHardy $25.00

Thu. 30, — Nothing particularly doing to day Comd attachment suit for B McEvitz vr's C Pond and D. Cleaveland upon an assigned contract of sale, advised with several parties relative to commencing suit's went down to Allisse's and held pipe for an hour or two before water was shut off,[51]

MAY 1857

Fri. 1, — Run up the flag for the 1st of May strong breeze, cool air, and clear sky, poor show for rain; Court called for case of H Shirkland vs

Clear Creek Co, May & McQuaid for Dft's, and myself for Plttf motion made to dismiss on the ground's of duplicity irregularity, and informality, consumed all of the afternoon in the argument, I spoke for nearly three hour's;[52] but the motion was sustained and action dissmissed at Plltf's cost, Dft's then confessed judgement drew up paper's in case for Williard against Young & Co

Sat. 2, — Saw Young & Co went down in the claim's and got a bill of exchange on Allis & Co excepted for the amount of Williard's bill, fee's to be paid when bill of exchange is paid, fee's $20,00 nothing much more doing to day, picked Mr's Allis a bouquet, carried it to her and was received as I thought coolly, sold Gridiron and her colt and my bay mare for $70, to Bill Bristo, paid $8 for Boots at Rideout's[53]

Sun. 3, — Doing nothing to day, but loafing reading and gassing, at night went down to Smith's had some gymnastic's and a pretty good time generally reced $21 of Bill Bristo on sale of horses

Mon. 4, — Hot day again, and nothing in particular going on, studied some but felt home sick and blue on an average, picked a bouquet of rose's for Miss [or Mrs.] Cory played some poker in the evening, won $8 or $10, loaned Gus Lewis $12,50, drew up a bill of sale and chattal mortgage for some stranger's charge $10

Tue. 5, — Continuance in case of McEvitz vs Pond and Cleavland, granted until Monday next; reced a brotherly lecture from W Allis about going to Smith's;[54] drew up power of Attorney and other paper's for Thomas Billing's to empower Joseph Lyon's to draw his pension; talked with Hall about purchasing his house & claim's.

Wed. 6, — Blazing around the Hill, the weather quite cool, snow on the ground four or five inche's deep and weather very cold; it looked funny to see, rose's blooming in the snow and the tree's all in full leaf; most of the snow left before night, the night cold;

Thu. 7, — [Across the following entry is written: "All a mistake — meant for last Tuesday."]

Hot clear day, Watson[55] came over as a witness in the case of McEvitz v's Pond & Cleavland and asked for a continuance until Monday which was granted; talked with Hall about purchasing his house and claim; went down into Allise's diggin's, talked like a brother with me about going into Smith's; came up home and drew up the necessary papers to effect a power of attorny from Thomas Billing's to Joseph Lyon's to draw his invalid pension Counseld with several other parties received $5 from Glatz[?] on his act

Made Hall an offer of $1100 $250 down, $250 in two month's and $600 in ten month's without interest he accepted the money to be paid by Sunday; and bought in Hugh Shirkland's[56] name for me, observed sulphur on the ground.[57]

Fri. 8, — Drew up a deed of Hall's claim & house, in favor of Hugh Shirkland, paid him $165 on act of $250 to be paid down, George King and his wife witnessed the sale, reced $5 of Lyon's for drawing up power of attorney; after the snow left the sulphur was all through the street plain to be seen especially where water had stood we called it sulphur but I guess it was electricity; I wrote to Col Rust about it

George H. King and His Wife, née Julia Lyman

From a daguerreotype, taken about 1864, in the possession of George Lyman King.

Sat. 9, — Spent the most of the day in making out, a deed of sale for S H Van Heusen, of Lewis & Murray's property; also an assignment of their debt's & account's which he then placed in my hand's for collection, boy's started story on me about Link and a squaw weather quite cool & blustering

Sun. 10, — Got up this morning and got my own breakfast thoght of home and wished I was married, Tracy Kingman called on me, and spent the day, got Mr's Young to come and make our biscuit's for us brought us a pie &c. boy's came over from the gulch, brought $555.05 in dust; paid Donnelly $30 on ac[coun]t of King & De Long, then paid H Van Heusen $125 for George King, borrowed $35 of Darneille, and paid Hall $75. made out 50 bill's of Lewis & Murray for H Van Heusen and tried to collect some of them; read a letter from H Carpenter to G B Allis did not like the content, raining this evening Tracy here, and both of us wishing we had a couple of fine girl's f[or] company.

Mon. 11, — Business opened quite brisk this morning, Dun placed a note and account on Murray in my hand's for collection fee's to be $25. — Campbell placed note in my hand's on Lewis for collection fee's to be deducted and balance to be paid to Schultz. attended the suit of McEvitz v's Pond & Cleavland got judgement for $150 by default; reced ten dolla's of Godfrey paid ten dollar's livery hire for George King; Mr's Cowell gave me Pie cake, & biscuit, to keep bach with but it was no use as George got back; Tracy and I called on Mr's Young and spent an hour or two; stormed by squal's throughout the forenoon hailing hard, with a small decoction of sulphur

Tue. 12, — Paid Farley $5 for expressage, reced a letter from George E Black, sent one to Bach,[57a] played some poker lost $12, paid Gus Lewis $2 for my watch, ran around the hill with Tracy and in the afternoon went with Mr's Young, Mr's May and Tom Coomb's, on a tramp, around the hill; the day was quite pleasant, stopped at night with Tracy at Schultze's.

Wed. 13, — Read some in Blackstone[58] for the first of a continued series of studies that I am to commence on Monday next went in the afternoon to Allis'es claim's with Tom Coomb's to see a cave,[59] waited until the water was shut off at night when a grand one came, came home then and Dean came over from the Gulch brought $95.50, the last of the season as water is gone, he and Donnelly both here

Thu. 14, — Comd the study of Law in good earnest, reading Blackstone, went out in the afternoon and picked a bunch of strawberrie's and gave to Mr's Allis', consulted with May about Brigg's and Kelley

Fri. 15, — Went to May's and got Kent[60] comd reading the 1st Vol liked it well but concluded to go back to Blackstone as soon as I finished reading, the first vol, took some stuff to Mr's Allis and helped her clean her dress of paint

Sat. 16, — Pleasant day again to day, comd studying hard all day, picked a bouquet in the afternoon of rose's, nearly the last to be had heard

of the massacre of H A Crabbs party at Cavorca,[61] took a walk in the evening with Coomb's

Sun. 17, — Arose in good season this morning and tried to collect some money on Murray's & Lewis'es bill's, did not have very good luck got some of O P Wright, and a note from Tim Warren sold my claim at Dadd's Gulch to Owen Donnelly for $100, $80 cash the balance in two week's, gave half to King, paid Darneille $35; reced $45 of W Bristow as balance due on Gridiron and her colt, gave him a bill of sale; took a due bill of Dick Askin's against the Slate Creek Ditch company[62] to collect; went to church in the evening, wrote a letter to H Carpenter sent the deed for record to Marysville by Tom Smith; now at home reading Kent, until ten, commenced a new rule of life, regular and moral with an eye to the future[63]

Mon. 18, — Read Kent pretty busy to day, the Metropolitan troupe[64] came on the Hill and Adkinson rented them the Hall, the Thespian's, were huffy about it; went to the theatre in the evening, took Mr's Allis and Mr's Young, expected to hear Mart Taylor open on his local song but he did not, had a first rate evening's entertainment reced a letter from Batchelder to day refusing to compromise with Houghtaling

Tue. 19, — Old Tommy Mitchell came up and I commenced the suit for him again; did not study very much to day; ran around the Hill with Tom Coombe's a good deal in the evening went to the theatre with Mr's Young.

Wed. 20, — Some negroes Buler & Todd came up and retained me to defend them, in a case against Snyder, brought to recover a bill for lumber, labor, and good's no chance to win the suit only on defect in pleading's told them, I would take it and do the best I could; took in Tom Coomb's for a partner in the suit; studied some on it; found several flaw's. ran around the Hill some; called on Mr's Young in the evening went to Camptonvill with Coomb's; the Ravine Co had suspended operation's for the season on a strike for water

Thu. 21, — Done nothing much to day but to read Kent pretty steadily; called on Mr's Allis and spent the afternoon; read her my Miner's Dream, had a pleasant time of it Warm day, in the evening called upon, Mr's Young and spent the evening talking spiritualism bought Slate Creek Scrip of Dick Adkin's and, gave to Whitcomb on ac[coun]t of grub bill $60— paid $40 for it.

Fri. 22, — Trial of Snyder v's Buler and Snyder v's Todd; dfts both negro's, the former sued for $149.25 the latter for $57.50 won the first case by a masterly effort of over 5 hour's duration and lost the latter without a struggle; got great credit for my effort; Coomb's was my associate; May against me plead misjoinder in the former case and no license to sell good's in the latter; charged them $50 got $9 down; George McHardy came after me to go down and commence suit against the boy's Kelly & Divier for digging up his street; went down with him to the Bar and staid all night.

Sat. 23, — Got up in the morning and went over to the Keys[t]one; Judge Canon was not at home went up to his office and made out a complaint for

McHardy; waited some time for Canon [but] he did not come, and we then went to Pete Labadie's got dinner and went from there home; saw Sargant & Batchelder, they wanted to sue Whitcomb, told me they would give me an answer in the morning, staid all night at McHardy's

Sun. 24, — Came home in the morning after seeing Bach and the rest of the boy's who concluded to sue; picked a fine lot of strawberrie's on the road, and brought to Julia;[65] nothing new at home Tom Coomb's had lost the old Mitchell case for me; I wrote letter's to Helen, Father[,] James Reid and Mary W N and gave to Slingerland to take home with him I read them to him, and for the first time in year's I shed tear's.[66] Went to Church in the evening heard Jones preach from King's about Ahab & Jezebel

Mon. 25, — Settled with John Greis he paid me $20 on beef bill, as part of my cost's in case of Greis vs De Long & Carpenter; Reced $20 of Donnelly in settlement in full of claim, reced $20 of H Beckwith as fee's from Anderson, and $14 from J P Brown on fees due from Dun & Co, George King went to Monte Christo[67] Dean here; studied Blackstone pretty steady, through the day, it was most intolerable warm I wrote a short line to Hatty May,[68] J Slingerland left for home; I wanted to go myself right bad.

Tue. 26, — Studying pretty steady to day warm as usual, drew up a mortgage for Frank Gaston, against J Hayden, charged him six dollar's which I received, spoke to Allis about joining the Mason's;[69] considerable talk about the expected comet[70]

Wed. 27, — Old Tommy Mitchell came up from the bar made out some more papers for him against Elmar;— Called on Mr's Allis twice during the day and had a fine time of it, consulted with Hayden and Gaston about their mortgage in the evening ran some foot race's and, threw sledge's, talked politics some, Coomb's mentioned my name for the Legislature,[71] I denied the corn [compliment?]

Thu. 28, — Went to Camptonvill with Frank Gaston, got his deed acknowledged, after writing a new one for him for which I charged him horse hire; had an argument before Branham, with McQuaid upon a motion of nonsuit entered by him in the case of Link vs Coomb's, got the ruling came home, went back with some animal's by request of Mr Allis and brought Mr's Pond over from Galena Hill, after calling at every house in succession; a distant thunder shower in the north no rain fell here but we heard the thunder; Told Sewell that I was out for the assembly and he gave me his adhesion

Fri. 29, — Went to Camptonvill to attend a suit for Mitchell vs Elmar won it, and partie's settled had another talk with Sewell about assembly matter's Came home and studied in the afternoon; in the evening got into a poker game win three dollar's, went to Galena Hill afoot with Murray, to a show & a dance, the sager troupe were preforming there and we had a very good time came home about three oclock in the morning. had a long talk with Murray about how I stood with the boy's on this Hill he put me on my guard against pretended friend's[,] naming them

Sat. 30, — At home, done some studying in Kent and some in Blackstone weather very warm Mr's Schultze came home; a heavy shower apparantly off in the north with quite heavy thunder

Sun. 31, — Reced a letter from H Carpenter and his wife, studied some the weather very warm, in the afternoon heavy thunder heard and apparantly, heavy storm's in the north, called on Mr's Schultz who had just arrived, Mr Merchant preached in the street, and at night in the hall went to hear him, then went to Smith's and waltzed with some Dutch girl's came up to Whitcomb's got into a poker game and lost some money, about $20— did not come home until 3 oclock

JUNE 1857

Mon. 1, — Got up with a dull headache wrote out a mortgage for Joseph Rode, vs Larkin Hold, on a tail sluice, reced $10 for it went to Camptonvill to attend the trial of Link vs Coomb's the Court rejected our bond previously filed, and Link refused to renew it and after an argument quite lengthy, the old fool of a Judge rendered a judgement of non suit against us, but in the mean time Link sold all of his property; ran a horse race with G B Allis who was going to Haskell's, with Mr's Allis, came home and wrote out two mortgage's for Buler & Todd vs Snyder, went down and stopped all night with Mr Allis, some lightning in the evening but no thunder

Tue. 2, — Read Kent some went to bed in the forenoon and slept until noon, in the afternoon done some reading weather quite cool and pleasant; called on Mrs Schultze in the evening and listend to some playing and singing

Wed. 3, — Studied steadily in the forenoon, in the afternoon played some poker in Whitcomb's lost $5.50, called on Mr's Allis; in the evening had a talk with Coomb's who assured me that the boy's on the hill were all right on politics; the weather to day unusually cool for the season.

Thu. 4, — Reading Kent this forenoon busy a thunder shower in the north set an old hen, with other very interesting thing's, nothing doing much Sharkey came up from below, promised me his friendship in the convention thought there would be no trouble

Fri. 5, — Seven year's ago to day I landed in San Francisco;— Studying hard to day made a bargain with Mr's Julia L King, if alive seven year's from to-day to write to her if she also wa's alive, and she was to write to me each letter to contain a minute account of our position's; heard that Stephen Dorsey had gone crazy on account of the comet and his tail sluice next to mine in Camptonville being mined by the water company wrote to Harvey Carpenter and his wife; walked around looking for Caves with Mr's Young and Caddy; studied steadily, played school with Mr's King and George, she acted as schoolmistress with a big long switch

Sat. 6, — Read steadily during the day it being quite cool and pleasant nothing new transpiring to day Called on Judge May criticised him some on law, intention of both of us to go to Mary'sville in August to be

admitted. played some poker in the evening win about $30 played with George Timm's, C G Whitcomb and Saml McClure.

Sun. 7, — Quite a cool day to day, done nothing in particular to day but study, went to church in the evening Mr Jone's preached a very good sermon dwelling upon the necessity of society's discountenancing immorality and its devotee's, paid $3 for washing for Mr's King; built a fire in the evening and read pretty late

Mon. 8, — Read some in the forenoon recd a letter from Peter McKeon telling me the boy's at Oregon Hill wanted to see me, played some poker lost $24 — went to Camptonville, Ravine Co in a devil of a stew about buying Watson out, Grove's refused his note but offerd to go in otherwise; no, conclusion arrived at, I came home

Tue. 9, — Went to Oregon Hill, saw the boy's, they tried to act friendly but something seemed wrong promised me their support they wanted to run Frank Davis for tax collector; I agreed to write to them on sunday, after sounding the boy's, saw Neal settled for $60 order on G I Mix. had a long talk with Frank, settled our difficulties, saw Bach at Foster's he wanted me to sue Whitcomb right off; — came up to Camptonville Ravine company concluded their contract; paid Watson eighteen thousand dollar's for his share of the ditch and thirty two claim's; — came home and went to a ventriloquist show in the evening

Wed. 10, — Read pretty busy in the morning in the afternoon, I got to playing some more poker and lost $12.50, and swore off, at least for a time, in the afternoon read a little more, in the evening went to Mrs Young's, and had a dance and good time with them a[nd] Miss Rideout[72] was married to her over a broom

Thu. 11, — Nothing doing to day, spent most of the forenoon at Mrs Young's with Miss Rideout studied some in the afternoon, had a great time t[h]rowing large shoulder stone's, and running foot races in the evening, beat George Selfridge[73] had a long talk with H Van Heusen about running for the assembly and about the chance's, wrote a little poetry and then went to bed

Fri. 12, — Spent almost the whole day with Miss Rideout had a first rate time of it, studied some but not much for who would when they could get a girl to chat with

Sat. 13, — All hand's on the qui vive to day expecting a crash of matter and a wreck of world's, saw the comet plainly, with the naked eye, during the day, and the sun shone as bright as possible, some thought it was the morning star nothing of interest transpired during the day, Miss Rideout went home and I was lonesome enough, hired a horse for Hank Van Heusen to go over to Camptonville and electioneer for me. read law pretty busily to day telegraphed to Benicia to Mary Cowell,[73a] to come home

Sun. 14, — Nothing particular doing to day boy's went to a horse race at Oak Valley, I received a letter from Tom Coomb's requesting me to come

to Foster's Bar to help attend to a suit for some Chinamen saw Hugh Shirkland; wrote a letter to Frank Davis, studied some but loafed a great deal of the time. Stephen Spencer came on the Hill with his sister, an old maid with cash, I settled with Ed King for work on my claim at Camptonville gave him my note for the balance due him of $67.00 on demand, not negotiable went to church in the evening Sheldon preached

Mon. 15, — Could get no horse this morning so I concluded to wait until evening two men came over from Rail Road Hill to advise about a claim attached as the property of a third man that belonged to them, I wrote out a notice for them to serve on the officer and gave it to them; A Hem a Chinaman came up after me to go down to Foster's, upon the same business of which Coomb's wrote reced $10 for horse hire to go down went down after dark, got to Foster's found a suit on the stock's between two Frenchmen for assault and battery, jury disagreed and they hired me to try the case next day, at Oregon Hill; saw all the boy's about election, made up some old differences everything looked fair.

Tue. 16, — Went up to Oregon Hill, as counsel for the People in the case of the People vs Soucha a Frenchman, win the case fee $40.00 each. came to Foster's wrote a letter to James Slingerland was retained by some Chinamen against A Hem & Co, agreed to go to Brandy City[74] to-morrow for Wilmot & Co., came home with a bad head-ache, some money and lot's of glory in the suit to day Hot day, thermometer stood 106 at Foster's Bar in the shade

Wed. 17, — Tried to get Gus Lewis to settle the note of Donnelly's but could get no settlement; went up to Brandy City with Batchelder, D G Sargant & A Wilmarth, commenced suit against J B Whitcomb, & Co, for Wilmarth, first suit I ever had out of my County; came home, reced letter from Judge Field's, giving me advice also one from, Tom Coomb's telling me that the China suit would come off at the Keystone on Saturday next; set down and went to work in good earnest, to prepare myself for the suit's before me, and studied until nine oclock; — very hot weather thermometer stood 108 in the shade on the hill; saw the comet about noon up at Brandy City

Thu. 18, — Arose early this morning set to work in good earnest, saw Lewis got a settlement out of him for Donnelly, I was to draw the money from Adkinson give up the note and the parties to pass receipt's. went to Oak Valley obtained the money came home paid Donnelly all but $25, of it which was my fee's. Rail Road Hill men came over to see me, trial set for Monday next, wrote to the Court, Nickol's to ajourn it to Tuesday, Reced a letter from George McHardy desiring me to come down to morrow to attend to the case of A Hem vs A Kim, on Saturday, studied like a Turk during the evening, the day has been very warm.

Fri. 19, — Hired a Horse of Darneal and went down to Foster's Bar, went to Blue Bar[75] bargained with the Chinamen to pay me $100 down and $50 more if I win the suit; McKelvey came after me to attend the case of

the People vs Mary Stroud & Catherine Mill's before Crowell complained of by Mary Collins; as the counsel for the People, opposed by Messrs Lockwood & McQuaid, they applied for a change of venue which was granted and ordered befor J G Canon of the Indiania Ranch, the Chinamen paid my money into G W McHardy in dust I spent the evening in chatting politics and talking with the women, reced my $40 from my Frenchmen; loaned McQuaid $20.

Sat. 20 — Went over to the Keystone Ranch to attend my China suit, case called Eely[76] and McQuaid appeared for Plaintiff's, but before our Jury was empanneled, the officer came into the Court with Mary Stroud and Catherine Mill's, case was ajourned until Thursday next at ten Oclock when, the other case was called and the prisoner's dismissed on the Complainant's own statement; talked politics, a host of politician's at the Ranch; Mat Wood's, & Fowler, Graham, Snydor A P N Labadie & More, all electioneering plenty of support promised me. went home to Foster's with Mary Collin's had a very interesting conversation, all the way, subject, love & marriage, arrived safe but come darned near throwing her off of her horse in trying to kiss her

Sun. 21, — Came up home by the way of Camptonvill, the boy's all right Came up with McQuaid, he offered me his assistance toward's admittance, came over home and spent the most of the afternoon in study, rode two scrub race's in the evening both came out tie played billard's the rest of the evening.

Mon. 22, — Started for Brandy City early in the morning with Judge May & A P Batchelder, May went up to assist me, found Judge Smith as opposing counsel, commenced the trial early in the morning, a good deal of contrary swearing and more quarrelling and pettifogging than I ever saw in a case before I led off throughout and I feel that I done myself *ample justice.* Closed the argument about 2 oclock at night, reced great credit; waited about an hour for the jury, and then went to bed, with Batchelder; tired out

Tue. 23, — Batch woke me up in the morning to tell me I had win the suit, jury found for Wilmarth for the full am't Paid $10 bill for May & myself, started for Rail Road Hill to attend the Sheriff's Court for Dunn & Co got lost but at last I got there, found that the suit was withdrawn, reced $20 of Dun for my trouble, came home, paid Darneal $15 horse hire, went to bed by dark feeling miserable from too much study.

Wed. 24, — At home having a resting day studied pretty hard during the day. wrote out a mortgage for Richard Selfridge on J D Andrew's claim's reced $5 for it; went over to Bogardus' race track[77] with Gus'es horse Muggin's rode him through twice for him he run pretty well, came up to Camptonvill bought boots & clothing to the amt of about $20, came home, saw Miss Rideout, engaged Judge May to go down to the Keystone with me to morrow — consulted with Mr's Cowell about Drumgoold's property and action's generally

Thu. 25, — Started with May for the Keystone got lost and went across Clear Creek, got down to the Indiania Ranch, about 9. O'clock, found

Eely, McQuaid & Lockwood as opposing counsel, trial com[mence]d before a jury of six, every ruling made was for the Plaintiff's all hand's remarked the fact I was astonished, and upon the close of Plaintiff's testimony I left the case to the jury without swearing a witness; jury hung until daylight keeping us up and then came in with a verdict against us; Conducted the suit and made argument's to the entire satisfaction of myself and my friend's

Fri. 26, — Drew up and filed an appeal bond and then came up to Labadies and got breakfast and then came home, slept most of the afternoon Simon Reinhart came in to see me told a pitiful story about being poor, but finally left; run around the hill a little; reced some form's from Col Rust

Sat. 27, — Wrote out a Mortgage for Tim Warren and J H Variel, of a claim of Variel's in the Ravine Co. $500 payable in ten month's; went over to Oak Valley with Berney McEvitz and H Van Heusen to attend the primary meeting, it was called for evening came back home; boy's went over to Camptonvill.

Sun. 28, — Held a sort of a meeting to try and make arrangement's for celebrating the 4th was appointd as one of the committee of arrangment's, to report to the meeting on to-morrow night. Called at Mr's Cowell met Mr's Works went to church in the evening with Mr's Young, read Blackstone pretty busily during the evening. played card's for peaches and oyester's come out full and free

Mon. 29, — The weather this morning very cool, sky cloudy, a drizzling rain not amounting to much fell during the day, a fire quite comfortable, times dull in town all of the boy's at the race's, came home the Hill victoriou's winning the [three?] races with stock from the hill; read Blackstone pretty busy during the day; at night held another 4th of July meeting, D O Adkinson and myself appointed as a committee to see what could be done and report to-morrow night.

Tue. 30, — Weather still cold, fires in all the stoves in town, wrote a letter to Jim Slingerland, sale of the Clear Creek and Green Mountain Ditch to come off but the sale was postponed until the 9th; a drizzly cold rain fell sometimes during the day; Adkinson and I reported, to a meeting they adopted our report, concluded to go on and get up a dinner and dance at the U S on Saturday next so mote it be, came home and wrote a letter to Sister S H D L.

JULY 1857

Wed. 1, — This morning is very cold with a drizzilling rain throughout most of the forenoon, a fellow from Brandy City retained me to attend a Constable's suit on Monday next; Shirkland came down and I went with him to Foster's Bar, reced $50 of George McHardy, went to Oregon Hill, stopped all night with Roger McMenomy and the boy's in his cabin.

Thu. 2, — Went over to the Keystone early in the morning took breakfast at Labadies. Convention called to order struggle between McCorkle men and Weller men, the Weller men the strongest, spent nearly all day in try-

ing to organize, succeeded at last, nominated, S M Bliss, for Judge, Sharky for Clerk, More for Tax C, Nat Wood's for Sheriff, &c [Isaac] Allen for Senator; N E Whiteside's, F L Aud, Ben E S Ely, B R Spellman [Spillman] & myself for Assemblymen; I reced 60 votes out of 90, cast in the first ballot and was elected, this was just at daylight[78]

Fri. 3, — Came home in co with Hugh Shirkland and Peter McKeon; took breakfast at Camptonvill, nearly tired out, came on home, and went to bed and slept all day, in the evening helped to raise funds to buy some powder for the 4th the boy's this evening firing and thumping a little; the weather cloudy, and cool with the wind blowing fresh, fire's in all the room's in town, and here in my room,

Sat. 4, — Flew around in the morning, to get ready for the afternoon, went to Galena and got Miss Rideout, at 2 Oclock met at the U S Hotel and had dinner, read the Declaration had a dance or two but thing's went off dull. in the evening, collected early, a large and merry crowd, a Miss Wingman was deemed the belle, I acted as manager, had one of the best time's I almost ever had flirted strong with Miss Wingman, until My partner got huffy, then I had to drop it which made the other one angry, turned back the watches and kept up the dance until about 2 Oclock, went home with my partner to Mr's Young's and set up until about daylight, had a great time; came home with an easy conscience

Sun. 5, — Went home with Miss Rideout, a reconcilliation effected, came back went to bed and slept until nearly night, spent the rest of the day and evening in loafing, weather moderately warm.

Mon. 6, — Went to Galena Hill to attend a Sheriff's trial before J H Variel as atty for Plttf; Chowdon, Claimant Walker & Co Dft and Plaintiff May against me, had an all day fight, lost the case but I consider that I acquit[ted] myself honorably. called and saw Miss Rideout; feel a very little stuck after the gal came home with May, afoot and tired, the day quite warm.

Tue. 7, — Done nothing much to day; studied some in the forenoon, and in the afternoon went out walking with Mary Cowell, went to the Dutchman's Ranch,[79] and around home, picked some berries

Wed. 8, — Bent over my studies closely, I view the distant future with a determination to succeed

[No entry for Thursday, July 9.]

Fri. 10, — Went over to Camptonvill with Gus Lewis; went before Branham and moved the dismissal of the suit entitled vs. Lewis & Murray, on the ground of informality in the proceeding's Court refused the motion whereupon we refused to plead, and judgement was rendered against us, came home and on the road dressed up in woman's clothe's and cut a swell, rode through town and fooled all the boy's

Sat. 11, — Studied hard all day, went down to May's and he catechised me in Blackstone and I did him, I got through quite well.

Sun. 12, — Spent the day in lolling around town, went to church in the

evening, Mr Sheldon[80] preached escorted Mary Cowell, went home and spent the evening with her; came home about 11 and went to bed, just got finely asleep, when a messenger came up from Indiania Ranch and wanted me to come down to attend some suits got up saddled my horse and went down to Oregon Hill, got there 3½ met a French woman there a Mrs De Borgia, whose husband wanted me; went to bed

Mon. 13, — Got up and had an early breakfast went with her over to the Indiania Ranch, her husband was under arrest for threat[en]ing the life of a Pourteguese [sic] by the name of William's, got the hearing ajourned until Wednesday next at 9 Oclock staid around there until noon, had chicken a la mode; and *French smiles* came home, was taken with the sick head ache on the road got to Oregon Hill very sick got off and went in to bed; was hauled out in about an hour by McQuaid Van Heusen and a crowd, came on up with them, Col Hatch[81] so drunk he could hardly ride got home about 12 Oclock, Came over with Brown, Allis, and Wm Foy who had just joined the Mason's

Tue. 14, — Spent most of the day in studying for the suit on Wednesday think there is some little chance to save the fellow, called at Mr's Cowell's and spent a few hour's

Wed. 15, — Started for the Indiania Ranch early in the morning, got down there about ten oclock, my French, client in a devil of a twitter, court calld I reced $20 in cash of him and a note for $50 more on Murphy; I submitted a motion to dismiss the case upon informalitie's in the complaint, argued the motion at length, over an hour, was sustained and the prisoner discharged, but was soon rearrested upon the same charge, obtained an ajournment until Friday next, came up to Camptonvill went to a dance in the Arcade,[82] but few women, and not a very good time, came home about 1 Oclock with Murray and John Drumgoold

Thu. 16, — Done nothing much to day, but prepare a little for action to morrow spent most of the day in running around

Fri. 17, — Went down again, took breakfast at Pete Labadie's; Court called, I filed another motion to dismiss argued it at length and was again sustained, Lockwood covered with shame, and his client's raving mad, my Frenchman well pleased took dinner with him, came up home, heard at Foster's that the case of Wilmarth vs Whitcomb had been dismissed by default at Downieville, parties blamed me, had a bit of a quarrell, felt very sorry about it, came up to Camptonvill went to Risley's Vatician Circu's[83] but few there I insulted a lady unintentionally and apologized to her companion for it, came over home with Murray[?], Darneille, & George Allis

Sat. 18, — Got up pretty late, Dr Link was here and retained me to settle up his business for him; A Jew came over from Camptonville and retained me to come directly over to attend a criminal prosecution as attorney for the People, one Jew had sued another for stealing a pear McQuaid had drawn the complaint and then engaged as counsel for the Defence, the com-

plaint was worthless and upon his motion was dismissed I recd $30 for my service's, and won a good name for my effort, got aquainted with professor Risley and had a pretty good time with the boy's

Sun. 19, — Loafed almost all day long, in the afternoon got to playing cards for Whiskey got tight & sick on cobbler's and went to bed feeling like an owl.

Mon. 20, — Done nothing particularly during the day, in the evening went over to Camptonville to hear Stanly[84] the Republican Candidate for Governor speak, made a mighty poor break of it; was called for a reply but made none owing to its being late, went down to Bogarduse's to stay all night so as to be at the race's next day

Tue. 21, — Old Buck quite lam[e] suspicion of foul play done some work on the track, crowd collected, Sorrell hor'se the favorite 2 to 1 I bet on Buck got 8 & ten feet bet careful only got a little bet, Sorrell horse win by 7½ feet, Another race between a Forest City & a Nevada City horse I backed Nevada and went in for my cash, the last race 600 yd's the first 300 yd's, came home afoot had plenty of melon's & peache's during the day; played poker all night at Whitcomb's with Whitcomb, Jim Rankin, and Jesse Merrill cleaned the party win about $60

Wed. 22, — Laid down and slept some in the forenoon, betwixt the hot weather and flie's twas worse than the devil got up at noon and went over to Camptonville with C G Whitcomb to attend a suit of R Spink vs the Slate Creek Ditch Co as counsel for dft's, obtained an ajournment until a week from Saturday next came home paid Darneille $18,50 horse hire

Thu. 23, — Done nothing much to day the weather quite warm played billiard's and scuted around did not study much neither, for which I deserve a trouncing

Fri. 24, — Spent this day too much like the last, Brook's of Brandy City was down, had to trot him around and show him the rope's; receed a letter from George E Black of San Francisco requesting me to go to Foster's Bar and see what evidence I could find to assist a Mrs Frampton in obtaining a divorce; paid Billy the milk man ten dollar's.

Sat. 25, — Went down to Foster's saw Mr & Mrs McHardy relative to an affair between Mr & Mrs Frampton that occured at their Hotel on Foster's, saw Batch wrote up to the County Clerk of Sierra Co relative to the case of Wilmarth vs Whitcomb et al's; came home at noon, wrote to Geo E Black Receed a letter from Reinhart & Bro with note on John Scott for collection, amount 92^{87}/_{100}$ wrote to Judge Canon at the Keystone enclosing the same for collection, paid the butcher ten dollar's paid Dr Farley $5 Express

Sun. 26, — Very warm day, time's dull, studied some; Plummer & some other man came over and retained me to attend to a case at Brandy City on Monday next about jumping a claim in Indian Valley fee's $50 unless settled before day of trial. done nothing much else during the day except consult

with Young & other's about the case of Spink vs Whitcomb et al's; played a little bean poker in the evening,

Mon. 27, — Woke up this morning with a sore front tooth ran around town all day cross as a saw, until afternoon Farley came over and pulled it for me, studied some, and drew up an answer in case of Spink vs Whitcomb the weather very warm

[No entry for July 28.]

Wed. 29, — Around town all day doing nothing in particular, reced a letter from Geo McHardy requiring me to come to Foster's Bar, also, a complaint and a copy of injunction in the case of the Chinese Au Hem vs Au Kim motion made by J O Goodwin[85] to dissolve the same, and I was requested to take deposition's

Thu. 30, — Went down to Foster's Bar took the deposition's of West, Hugg, McHardy and Prescott, did not get through until late in the evening called upon Miss Rock formed her acquaintance, Chinamen wanted me to go down to Marysville, for them, agreed to go if I could get Whitcomb to accept May in his suit Saturday; they were to pay all my expense's and $50, and if I win promised more, they paid me $20 for expense's in taking deposition's; staid all night at McHardy's

Fri. 31, — Came up to Young's got Whitcomb to consent and retained May hired a horse and left for Marysville after dinner, took supper at the 11 mile house and rode in after dark, beautiful moonlight night, put up at the Haun House,[85a] ratted around some and went to bed

AUGUST 1857

Sat. 1, — Saw Goodwin, Affidavit's satisfactory went to Bliss obtained liberty to plead in the case, and got discharged from the Grand Jury. read affidavits, Court ajourned until 7 Oclock, Field and Hatch[86] appeared for Plttf's, Court again called, affidavit's for Plttf read, Hatch opened Field followed I next and Goodwin closed, Court took the affidavits and proceeding's and set Tuesday next to determine the case; heavy swearing. bought Blackstone and McCall's form's[87] electioneered some, saw all the boy's and had a pretty good time generally; Chinamen paid me $20 on ac[coun]t; and a note of Merrill[?] for collection on Forbes[88] at Brandy City, and an acct of Dr Links on Arthur Miller.[89]

Sun. 2, — Got up early and started out took breakfast at Zabriskie's. came on up stopping occasionally at Foster's my horse was sick bled him got some dinner and came on, stopped at Garden Valley and picked a bouquet, came up to Camptonvill learned that May got beat in my Whitcomb case came on over, horse began to limp before I got home, was very lame I got him home and had a little jam with Darneill because he was lame; I was thrown off on the road up, below the Prairie House, saddle turned and I went sprawling in the dust about a foot deep; went to bed sore & tired

Mon. 3, — Intended to go over to Camptonville to move for a new trial in

the Whitcomb case but Fred Nichol's came over with an execution and I let it go until tomorrow, A man by the name of Troy came up from Slate Range and wanted me to enter complaint for him against Billing's, Hobb's & other's and bind them over to keep the peace I told him to wait until Wednesday when Adkinson would be appointed he did so; in the evening Billing's came up for the same purpose and offered to retain me, I refused, and went with him to May

Tue. 4, — Went over to Camptonville; filed a motion for a new trial in case of Spink vs Whitcomb; — Reardon filed complaint & affidavit in case of People vs Troy, partie's again [came] to me to retain me for the prosecution; did not do much else during the day; drew up a sham complaint for D G Sargant against J B Whitcomb & Co, reced $5 of Dave

Wed. 5, — Went to Camptonville with Troy and his friend's; Court called, Reardon for People myself for Troy, I filed a motion to dismiss the case and discharge the prisoner, on several ground's which after a lengthy argument was sustained and Troy discharged; Boy's felt good; I immediately filed a complaint against Billing's, Hugh's, and Cope for assault before D O Adkinson who was just sworn in, and had them arrested trial set for Saturday next; went down to Junction House took supper and saw the stock Came up to Camptonville heard Col Weller & William's[90] of El Dorado speak came home with Gus Lewis two on a mule

Thu. 6, — At home all day, doing nothing much but betting on the horse race, reced 200 of Gus Lewis, bet *5 with Mr's Martin;* $100 With Darneille in H Pratt's hand's; reced $5 for betting it; bet $20, with F Gaston, reced $3 for betting it, bet 40 against 50 with H Pratt in D O Adkison's hand's D G Sargant here to commence a suit against J B Whitcomb et al's altered our mind's and determined to commence it before Brook's at Brandy City,

Fri. 7, — Done nothing much during the day Troy came up and I entered an application for dismissal of the case of the People vs Billing's et als, as compromised; drew up a complaint for D G Sargent vs Whitcomb et al's, to be taken by him on Monday to Brandy City; reced a letter from Geo W McHardy, relative to the Chinese affair; played some cards for peache's &c, studied some but did not do much on the whole sold my colt to Billy Bristo for $25 milk bill;

Sat. 8, — Went over to Camptonville, argued the motion for a new trial with McQuaid in the Spink vs Whitcomb case, motion overruled; hired a horse went down to the race's took dinner; the Muggin's the favorite, money plenty, race came off and Sorrell horse won 5 feet as ajudged but 20 feet in reality, staid there till night saw several more race's but did not bet, loser $221.50 on the day, came home on the road I learned that Marsh the rider of the sorrell had been bribed and then threw off on the Muggin's men and ran away, felt very badly to think I had been mixed up in the affair, as I had bet Lewise's money and all the boy's thought I was aware of the plan which I was not, went to bed cursing race's and jockey's in particular,

borrowed $20 of J Guizelman[?][91] to come home on payable in a week reced two letter's one from Sharkey and one from Reinhart

Sun. 9, — Spent the day at home, studied some had a devil of a jaw all day about the race's and in endeavouring to convince the boy's that I knew nothing of the affair, some foot race's in the evening I ran with Hodge and beat him, ran with Farley and got beat; reced a Chitty on Contract's paid $9.50, reced $10 of J Guller on account of Dr Link

Mon. 10, — At home during the day doing nothing in particular, studied some

Tue. 11, — Doing about the same to day, thinking pretty busily about home, as the birthday's approach, and long for old familliar face's long gone by, John Jaycox, Elenore Pendly, Levi Loser and Jim. Sent W Sharky $50 to help buy off the Inquirer and insure our election[92]

Wed. 12, — Still at home doing nothing but studying &c wrote out the outlines of a stump speech, went around town in the evening, played rounce during the evening and stopped over night with Gus Lewis

Thu. 13, — Spent the entire day at home busy in memory of the past and fancies of the future, read some and sported a very little, my mind very busy in planning out way's and mean's for the future especially the defraying of my expense's in the coming campaign, resolved to go and get a horse next day. in the evening went in and treated the boy's at Whitcomb's after their chasing me around town to give me a whipping Bill Swain,[93] Jess Merrill, Clem Whitcomb and Capt Godfrey

Fri. 14, — Started with George Allis for Pete Labadie's, got there about noon found he had sold Puss, could not get a settlement out of him, got dinner, came back to Foster's, collected $50 of Geo McHardy, on the China case, came up to Junction House was persuaded by Gus Lewis to stop all night and see the race's next day

Sat. 15, — A large crowd assembled, but little betting the mare the favorite, brought out about 3 oclock, a long time starting and finally the mare broke and ran through alone, this broke up the race, money drawn, a pony purse of $120 raised, by Tim Smith race came off Whiskey Bill winner, the Mare's rider held in, and Smith pronouncing it shenanigan, the purse was distributed to the maker's; a race then run for $100 between the owner's of the Mare's; little grey pony and Tim Smith's Grey, the boy's winning; came home very sick with the head ache

Sun. 16, — At home during the day feeling blue as a whet stone owing to a crisis in financial affair's set up late playing with Gus Lewis for cash seven up come out six dollar's winner

Mon. 17, — At Home all day, wrote a letter to Jim Slingerland, received one from him, that filled my soul with thoughts of home, joy and sorrow, even as I write this journal of the day, my very soul is wrung, my brother's course crushes it with agony; my dear old Father's continued love, and Polly's with their health give's me unutterable joy and also Helen's; but Mary's silence

render's me miserable; the future and its destinies; hope say's that next June shall find me at home an ex Assemblyman, admitted to the Supreme Court, honored and loved with a reformed brother and rich happiness before my path; time alone can tell, *vive la future*

[No entries from August 18 to August 28, inc.]

Sat. 29, — Hired a horse at noon of Darneille and started for Oregon Hill took Dinner at Clay's Ranch,[94] went to Foster's Bar the boy's stopped me to make a speech, Whiteside's and Aud came along and Grier and Adkison meeting organized called J M Crowell to the chair; I spoke, Aud followed, and Whitesides next, then Adkison said a few word's, and Mix Smith and I closed; had quite a large meeting some ladie's present; went down and drew up a bond at Geo McHardy's

Sun. 30, — Reced $20 of George McHardy came on took dinner at Clay's Ranch promised to come down on Monday night and speak, went to Camptonville, came over home by Galena, went down to Slate Range, took supper, spoke in Finleys[95] Room, had a fine meeting, and good time, went over and saw Peter McKeon and wife had an oyster supper plagued them some about their new state and then came over and staid all night with Jim Lewis;[96]

Mon. 31, — Came up home, went to Camptonville with Tompkin's Chamber's, and Lewis, from there down to Garden Valley, took supper at Clay's Ranch, had a fine little meeting mostly Georgian's, spoke about two hour's and a half, R H Bliss came in, with fusion ticket's he said a few word's after I was done, and then produced his fusion tickets; hell to pay all the Georgian's cursing mad. Went to Foster's Bar with Gus Lewis and stopped all night in that hell of bed bug's the El Dorado.[97]

SEPTEMBER 1857

Tue. 1, — Started with Gus for Long Bar, altered our mind's and started for Camptonville, came up to the Junction House and spent nearly all day with Mrs Bogardu's and Widow Brayle cut up hell, had several wrestle's and, done some fancy sparking, came up to Camptonville, left Gus and came on home; boy's wanted me to speak Son's of Temperance donated me their Hall, I made a long speech and received great credit and made vote's by it Adkison followed, in a very fine reply, and I in a brief manner replied to him, meeting ajourned in good feeling, and I went to rest pretty well satisfied with my election effort's

Wed. 2, — Got up and went to work; did not electioneer much, but my friend's were busy, although many of them were off the Hill; polled 68 votes K N 33 for Bowie; Dem's 22 for Weller, Rep's 11 for Stanley, I reced 46, running 24 ahead of Weller very well satisfied, heard that Judge Smith and Dave Calvin[98] both Democrat's were working against me at Camptonville and Martin, Jarrett and other's jumping in for me; also heard that Fall and other's in Marysville were working against [me] felt the schock of an earthquake very

plainly whilst sitting at the poll's whilst canvassing the votes.[99] — Drew up paper's in an attachment suit for Mr's Cowell in case entitled Hepzebah Evan's vs John H Drumgold

Thu. 3, — Got up to hear the pleasant new's that Camptonville had cut me like thunder, and Galena same, 109 Democratic votes in Camptonville and I reced only 58; Galena 20 Democratic and I reced only 8, felt pretty blue over this, but during the day I heard that Garden Valley, Slate Range, Foster's, Long and Bullard's had done their duty by me giving me large majorities the opposition stopped some of their crowing, Drew up a mortgage for Mr's Evan's alias Cowell on Drumgold's claim's and stopped the suit

Fri. 4, — Felt a little dubious almost all day, anxiously awaiting the returns from Marysville, reced them in the evening and found I 374 ahead of Dun and no longer feared the result; felt pretty good played a little poker, and drew up some, papers for Harpending in case of Nile's vs Harpending to obtain a new trial.

Sat. 5, — Nothing at all doing to day went to May's and had a set to of examination out of Blk,stone under the old tree, preparatory to application for admittance

Sun. 6, — Less a doing to day than yesterday, May moved off the Hill for Marysville; I reced a letter from Mike Gray, calling me *hon* [Honorable] and asking me for the $300 due upon his book's from me, threatning me with suit on me and suretie's; I answered him and copied for preservation my answer

[No entries from September 7 to 29, inc. During this period De Long evidently went to Marysville and was admitted to practice law.]

Wed. 30, — Came up from Marysville on the stage started about 4 O clock in the morning, had no adventure's on the road brought up, Barbour on criminal law and Jefferson's manual[100] found several letter's one from T M Coomb's, Mike Gray, one from Tim Warren giving me notice that he had bought into the Wisconsin Co for me, and one from Slingerland containing twenty kisse's from the Wolverine girls, and one from Sister and some paper's; wrote answer's to nearly all of the business letter's and part of a one to Sister; received congratulation's from my friend's and put up my shingle as an Atty at Law over my door after dark.[101]

OCTOBER 1857

Thu. 1, — Wrote the rest of the answer to Sister, answered Jim's and the Girl's and wrote them some poetry, which took nearly all of the day; G B Lyman came up and stopped with us; W Selfridge came for advice relative to the difficulty among the claim's at Dadd's Gulch.

Fri. 2, — Went to Indiania Ranch to commence a suit against Au Kim Au Cow & Co et al's for my services as an Attorney and Counsellor at Law Judge Cannon being absent I went down to the Keystone took dinner and staid all night; Mr Hall of Dobbin's Ranch retained me to appear tomorrow befor[e] a Board of Commissioner's appointed by the Supervisor's to appraise

and assess the damage to Foster's Bar Turnpike Co done him in running throug[h] his Ranch

Sat. 3, — Went down with Cross in the morning and commenced an attachment suit for $200, against the Chinamen, Cross and Murray went my Bond's; went up and gave the Constable Bailey the papers to serve; Board of Commissioners met and viewed the ground Turnpike Co applied for a continuance, which was granted after the deposition of Erasmus Marsh was taken on our behalf Hall gave me ten dollar's for expense's I came up to Junction House, Pete Labadie stopped me and I staid all night to ride his horse next day if his rider did not come.

Sun. 4, — Quite a crowd assembled by noon main race broke up, but run for $50. — Muggin's winning by two feet several other race's came off but all of them scrub's and not worth mention; came home in Co with Whitcomb paid Darneil ten dollar's horse hire

Mon. 5, — Done nothing to day but run around the Hill went into Guizelman's[?] tunnel and rode out on the car, had a long talk with Bill Allis about Masonry in the evening had a game of whist at home; whilst we were playing it rained a little.

Tue. 6, — Raining hard this morning rode Brown's mule to Camptonville and Darneille's horse from there down to the Keystone, got wet through, got judgement against my Chinamen for $200 for fee's served an order of the Court on Labadie and McHardy to pay over the money, gave them until Monday to do it in, came on over as far as Clays Ranch and stopped all night very dark and raining hard, done so all day;

Wed. 7, — Came home storming slightly all the forenoon, broke away about noon, cloudy and cool busied myself during the day in cutting out Supreme Court report's and scrap's from the Union[102] for a scrap book, wrote a letter to Rowe & Mott[103] and reced one from Harvey Carpenter; in the evening had another game of whist; rained a very little, storming hard at bed time

Thu. 8, — Rained hard all night but clear this morning; Retained by Mr Stevenson of Galena Hill to prosecute an action in behalf of the People vs Charles May, of assault committed upon his wife Mrs Amelia Stevenson, reced $20 as a fee the man having no more the trial came off at night Judge Smith as counsel for Dft, had one of the most closely contested trial's on record; I made one of the most rigid examination's of opposite witnesse's I ever done, and won the most desperate case solely by my cross-examination's; I feel proud of the victory although it was of trifling importance because I won it at desperate odd's,

Fri. 9, — Charles May sentenced to pay a fine of $75.00 and placed under bond's in the sum of $500 to keep the peace all hands laughing over the trial as some very curiou's facts were elicited upon the trial of the cause done nothing much during the day, played a little poker in the evening win some $17 of Bob Logan staid all night at Schultze's

Sat. 10, — Done nothing much during the day studied some, and sported around a little playing billiard's &c with George Lyman and Geo A King the weather fine and pleasant

Sun. 11, — Done pretty much the same thing to day, heard of a stabbing affray at Camptonville a man named A R Brown stabbed a man by the name of Eph, a warrant was issued from Adkison's Court — Mr's Stevenson and husband were over here again to day to retain me, for a case to morrow — Chas. May having sworn his life against her, singular arrangement a man swearing hi's life against a woman[104]

Mon. 12, — All Galena Hill men & women over her to day to hear the trial, reced $20 of Stevenson as a fee and went into Court and got the case dismissed upon motion, surprised and disappointed them all and highly pleased my client's; sported around town all day; paid C G Whitcomb $10; consulted with Selfridge and Seth Arkle's about a suit in embryo at Dadd's Gulch about a reservoir, between them and Brown & Field's. in the evening had a social game of whist at home

Tue. 13, — At home during the day doing nothing much, had a talk in the afternoon with Dr Farley about a settlement

Wed. 14, — Done nothing in the forenoon much, Neal came up to get an execution out on his judgement against Holme's, it was given to Brown and in the afternoon he and I went down to Foster's he levied on a new house, and I settled my China suit with Geo W McHardy by taking his note for the amount, payable on demand, I paying the cost's bought a coat of Dr Groves $11.00 reced 17.50 of him in full satisfaction of a note of Farley's at San Juan against Ortman & Serroot; — paid taxe's on our dwelling house $22.00 came up home by the way of Camptonville, got home late Dean Lyman here

Thu. 15, — Went over to Dadd's Gulch in the forenoon to see the Selfridge claim's, saw the boy's came home and in the afternoon went with J P Brown to an Indian Ranch, saw the prettiest squaw I ever saw, heard her story quite romantic,[105] came home and in the evening had a game of billiard's Dean & George Lyman both here

Fri. 16, — Spent part of the forenoon in playing billiard's, at noon Mr Stevenson came over after me again as May had again swore his life on his wife and wanted me to go to Camptonville which I tried to get out of but he insisted; charged him my regular fee and horse hire and went over on the way ment Dr Farley his bill was increased to $44 against me; charged me $36 for the Express one year got the case continued until Monday next, bought some book's of a Jew, some paper &c and came home with Brown

Sat. 17, — Done nothing much to day played some billiard's; looked over my account with Darneill found I owed him 33.25 for horse hire; weather still continue's warm and pleasant

Sun. 18, — In the morning the wind blew furiously as indeed it did almost all the night, spent the day in the study of law, in the afternoon called on Brown and had a long chat and he played on his trombone, came up to

Dean Briggs Lyman

About the age of seventeen, soon after his arrival in California in 1855.

From a daguerreotype in the possession of his son, George D. Lyman

Whitcomb's got into a game of poker and played till morning George Timm's, Pat, C G Whitcomb and myself, win about twenty doll's went to bed about sun-rise, the wind blew very hard during the night

[No entries for October 19 or 20.]

Wed. 21, — Slept about an hour got up feeling like the devil got a horse and went to Camptonville, case of Mr's Stevenson called, I moved to set aside the complaint and discharge the prisoner overruled went to trial, submitted the case without argument, found guilty and ordered to give bonds in a $1000 and pay the cost's of suit pretty heavy paper's; reced $20 of Stevenson as fee's, came home Stevenson and Young came over in the evening for advice, promised to go in the morning to Camptonville and if necessary to Marysville to attend Mr's Stevenson's case; paid Dr Farley $20 expressage on ac[coun]t.

Thu. 22, — Went to Camptonville, called at Stevenson's at Galena; got Tompkin's to reduce the bond's to $500 sent for my client she came over and I gave the bond; Young and J A Dun as suretie's reced ten dollar's of Stevenson came home paid Darneill ten dollar's horse hire

Fri. 23, — Done nothing much to day but review the Statutes, marking in those compiled the amendment's contained in the later one's found it to be an arduou's job, busied myself at it almost all day, paid 50c for candle's, Farley 25c for expressage, reced a letter from Farley at San Juan;— Judge May spent a portion of the evening here

Sat. 24, — Went on and completed my searching and marking the Statutes had a curious dream last night that ran in my head all day dreampt I got married to Miss C. Philip's; reced $6.00 of Pat balance due on poker paid Darneille $10 horse hire on my ac[coun]t — in the evening played a little more poker loser $6.00

A Mistake read the above for Friday

Done nothing much to day, heard of the loss of the George Law,[106] went to Galena Hill saw B Clough, wrote a letter to A McHardy; played billiard's with Judge May; paid Farley 37½c an 37½ for coffee

Another mistake.

Had my teeth filled to day by Mr Cornwall of Sacramento paid him $30 for it

Sun. 25, — Doing nothing much to day; a Mr Levison of Sacramento came over here, asked my support to get the Engrossing clerckship of the Assembly stopped and took tea with us; was around the Hill all day; Hugh Shirkland was up here; I promised to go to San Juan and see Alex McHardy on Thursday next

Mon. 26, — Went to Dadd's Gulch to day and collected 20 of Arthur Miller on an ac[coun]t of Dr Link's, for medical service's; returned home. paid Darneille $25.00 borrowed money and $2 horse hire

Tue. 27, — Done nothing much during the forenoon; in the afternoon mounted my horse and started for Dobbin's Ranch went by the way of Bul-

lard's Bar saw Mr's Mix reced an invitation from her to return that way on Thursday and take dinner; arrived at Dobbin's safe; found Mr Hall at home, in the evening prepared a statement and affidavit of his to be used in the trial to come off before the board of commissioner's at the Keystone Ranch to-morrow,

Wed. 28, — Went to the Keystone, met Rice & S Atchison who appeared without counsel on their own behalf; they moved the Board to dissmiss the proceeding for want of authority; the Board refused, when they refused to plead and we went on with the case, closed about 3 Oclock, Board agreed to report on Friday next in Marysville, went down to Dobbins'es, and from there down to Madam Cole's to collect an ac[coun]t for Judge Field's, as I approached the house heard some one put up stair's in a hurry, went in and staid around for an hour; promised to pay part in eight day's and all in a month if I would leave the ac[coun]t at the Keystone, returned to the Key-s[t]one, for my pistol which I had forgotten, and left the ac[coun]t with Cross, the[n] returned to Dobbin's and stopped all night

Thu. 29, — In the morning had a talk with Hall agreed to take the case in charge and conduct it he to pay my neccessary expense's whilst so doing, and my pay to be proportionate to my success; charged him $50 for what I had already done, reced $30 started for home came by the way of Brooks'es Mill to collect some money of Lyon's did not get but a promise to pay next week, came on down to Bullard's took dinner at Mixe's, went to Sweetland's crossing on Middle Yuba to see Alex McHardy, saw him and Farley who presented me with a cigar case; came home keeping a mighty tight eye out for, robber's; got home about 8 Oclock, found Mr's King quite sick went into Whitcomb's and played poker until nearly morning lost $13.00

Fri. 30, — Slept until about 1 Oclock, spent the afternoon in running around the Hills amongs't the cut's and tunnels reced a letter from W Burn's of San Francisco,

Sat. 31, — Went to Greiss Store with Baalam Davis, took our gun's and tried to kill some game, but could not find any of any consequence got some sardines and c at the store and from there came home got home about night played some poker in the evening and came out loser; a fight occurred between Pat Smith & George Timm's;

NOVEMBER 1857

Sun. 1, — Hired Darneille's horse and started for Marysville, found Dr Cornwall at Oregon Hill got him a horse and he went down with me; reced 8 dollar's of Hodge and 10 of Dr Grove's loaned money; we travelled steadily struck the plain's about dark, fell in with a stranger and all three went from there into town at a round gallop got in about 9 Oclock, put up at the Haun House.

Mon. 2, — Woke up in the morning and found it raining, rained nearly all day, appeared before the Board of Supervisor's, argument deferred un-

til the next day; in the evening went and saw Mrs Julia Dean Hayne play Old head's and young heart's[107]

Tue. 3, — Still storming finely, the street's all mud, appeared before the Board argued the motion, Chas. Filkin's appearing against me, Board decided they had no jurisdiction; went to work electioneering for Dr Webber in good earnest to secure him the position of Hospital physician; in the evening rode out to the Marysville Park with Cross & Mix Smith, saw the fast stock in the evening went to the theatre with Cross and Spillman, the play of Griseldis

Wed. 4, — Appeared again before the Board with finding's and reported the same during the day went with Mr Spillman and saw the celebrated clairvoyant Mr's Sweet, had my past history told and future predicted dont know what to make of it; it kindly [sic] get's me, she told the past so very correctly; in the evening saw General Rowe.

Thu. 5, — Went to see General Rowe, went before the Board of Supervisor's; Webber elected; went with Rowe to Yuba City to attend Court, called on Judge May and family saw Hatty and Mrs Jeffrie's spent the afternoon pleasantly with them, came back and held a long consultation with Rowe & Mott, left the case of Hall with them, to be conducted hereafter; Rowe and I perfected our agreement to become partner's in future. went to the theatre with Cross, saw the play of the love chase met Miss Hatty May and Mrs Jeffrie's there had a good time.

Fri. 6, — Called again on Rowe and talked the matter finally over with him; borrowed $20 of Judge Bliss and started out of town in the afternoon; rode alone nothing of consequence occurred on the way up reached Martin's after dark, staid there all night found a grass widow there[108] made arrangment's with her relative to getting a divorce for her, had a long talk with her as we had met before under strange circumstance's, she gave me some good advice relative to my action's in going into the Ramirez section of country;

Sat. 7, — Had a long chat with her and left came up to Dobbin's and took dinner, reported progress to Hall he was satisfied reced eighty two dollar's and sixty cent's balance due on my fee's and my expense's came on up to Camptonville, gave the $30 to Green the driver to take back to Bliss came on home, quite cold and very dark

Sun. 8, — Done nothing much during the day felt half sick and very blue, paid Darneille $50 in full as settlement of bill for horse hire up to date; took dinner at Schultze's, went with an Irishmean [sic] to look at his claim's and to give him advice, went to bed feeling quite unwell

Mon. 9, — Arose with a dull heavy feeling in my head, quite cool this morning, toward night clouded up rained a little, and finally wound up in a wind storm wrote a letter to Gen Rowe and one to Mr's Westrope about her divorce affair

Tue. 10, — The wind blew furiously during the night and is still blowing

hard to day, and quite cold although the sky is clear and the sun shine's bright; feeling quite unwell to day; ice half an inch thick in the wash dish this morning and the first seen; set up late took some medicine for my cold and piled shivvering in

Wed. 11, — Kept the house nearly all day to day feeling quite unwell, the wind blowing great gun's and cold as fury

Thu. 12, — Still feeling unwell, took some medicine of Bill Allis and fought Rooster's with him had quite a severe spell during the day, the weather still quote cold

Fri. 13, — At home; in the afternoon I came down to Bullard's Bar with G I Mix, took supper and in the evening went up to Foster's Bar with George; a ball at the El Dorado in honor of Mr Lusk's departure; went in uninvited amongst the hound's and my enemie's and danced until nearly morning, came home to George's and went to bed a very cold night; — My enemie's and my gall all at the ball and all in company[109]

Sat. 14, — In the morning went up to Foster's, hired G McHardy's mule and went to Young's made out bill of Lusk's and came down to Foster's Bar; stopped over night at the El Dorado made out deed's agreement's &c in the sale of the El Dorado, from Fall to P Guerin for Patrick;

Sun. 15, — One of the heaviest kind of frost's everything dressed in white; stayed around the bar all day gassing with the boy's until toward evening, then came down with George Mix and took supper and expect to stay all night

Mon. 16, — Very cold morning, took my gun and went up Oregon Creek, hunting had a devil of a tramp, saw one pigeon, one quail, and one hare, did not get any of them although I shot the hair out of the hare came down to the House, helped uncle Tommy shovel dirt until I blistered my hand's; just before we went to bed discovered some one stealing chicken's went to the hen house and caught a man of my acquaintance, came near shooting him, felt scared about it and sorry to think I caught him

Tue. 17, — Weather clear and cool; went to Foster's Bar, reced $16.50 of Patrick for drawing up his deed's; had a settlement with George McHardy, for legal service's rendered; he brought in his ac[coun]t's, Hotel Bill's, Bar Bill's Mule Hire, Cash &c, I then threw off to satisfy him, and he gave me an order on George Mix for $150.00 one on Atchison & Bro for $100.00 and his note for $100.00 payable in three month's I waited all the afternoon for Atchison to come down from Camptonville he did not come until dark and I staid all night at the El Dorado

Wed. 18, — Came down to Bullard's Bar, to settle with Mix and get him to accept McHardy's order, did not effect a settlement in time to go back and get passage on the stage so I concluded to stay all night; took my gun and went up on the Hill could not find any game so I came home, and panned out a pan of dirt but could find no gold. Mix brought in a bill against me for assessment's on the old English Bar Bank claim's that rather surprised me.

Charley Christian passed Foster's in custody of the Sheriff of Sierra en route for San Quentin for four years[110]

Thu. 19, — In the morning George went up on the Road to do some work; Mr's McHardy came down from Foster's and spent the day we had a grand time, I was acting as head of the house and training all hands left just before night and went up to Foster's, left the order with Mix for him to make any deduction's he saw proper; got into a game of poker at Frank the Baker's played until morning win $40; —

Fri. 20, — Went to bed in the morning got up about 4 Oclock, called on Mr's McHardy and had an explanation of some affar's of mine and George's; — took the stage and came up to Camptonville, and from there over here afoot in the dark with G B Allis who had just come up from below; Jame's Pullman came up to Camptonville with me, just from Honey Lake.[111] had a grand Charivari of Gray and his bride formely Miss Spencer then got into a poker game and played until morning win $17.50

Sat. 21, — Went to bed in the morning and got up about noon; Capt Gardiner came over after me to go to Camptonville and attend a suit entitled Batchelder vs Bur's as counsel for Plaintiff went over; Dft's moved for a continuance for four month's, and obtained it upon filing the required bond, saw Dr Warfield of San Juan agreed to go below with him; came home wrote a letter to Tim Warren

Sun. 22, — Nothing particular doing to day; played some billiard's; — Forbe's and a man by the name of Jone's came down from Brandy City and retained me to attend a suit to be had there on Wednesday entitled Stoy vs Jone's on behalf of Dft.— Mr Crow from Rail Road Hill came over and advised with me about, a confession of judgement promised to be over on to morrow to get me to draw up the paper's. Laman counseled with me relative to commencing a suit against Clear Creek Ditch Co.

Mon. 23, — Paid Darneille $14 and Dr Farley $1.00. Played some poker during the day in with Barney McEvitz win about $20.00 on the day Commenced boarding with Schultz at supper; informed by Mr King that I had better do so as his wife was unable to do the cooking. — thought this was pretty cool to order a man out of his own house. — Hugh Shirkland up here, had a talk with him about our affair's

Tue. 24, — Nothing going on, on the Hill of much account; got into a game of poker on the Hill in with Ed King lost some $20 played all night, commcd raining like thunder before morning.

Wed. 25, — Started for Brandy City in the rain with Laman, feeling like the devil; rained hard all day long, case of Stoy vs Jone's called on and a man by the name of Seabury my opposing counsel made several motions in all of which I was overruled, then filed affidavit and obtained a change of venue to the Indian Hill[112] Justice. came home in the dark storming blowing and as cold as thunder; heard a sermon in Schultze's bar room

Thu. 26, — Doing nothing much to day the weather stormy; went

over at noon to Camptonville afoot with B Hugg and D B Laman, spent the afternoon there; stopped all night at the National[113]

Fri. 27, — Got up to an early breakfast took the stage and went down to Foster's Bar; saw the boy's, partly bargained for some of their account's against Whitcomb & Co. retained by Batchelder to commence a suit against Houghtaling fee's $25, agreed to sell Wilmarth's account on share's left my order on Atchison with Dr Grove's; as security he was to buy up some account's for me came over to Clay's Ranch came from there up home afoot with some stranger's. staid all night with Johnny Schultze.

Sat. 28, — During the forenoon I copied off the paper's and docket in the case of Holme's vs Dingman & Co to send to Dingman & Co for Gen Rowe; about noon Batchelder and Wilmarth came up and I commence suit for Batchelder vs E Houghtaling for the sum of one hundred and sixty nine $^{38}/_{100}$ and for Willmarth's vs Whitcomb & Co for $174.00 attachments suits attached the store and stock, got to playing poker in the evening played all night win about $5.00 on the night; rained some during the day night very cold also signed my application to be admitted to the Gravel Range Lodge of Mason's;[114] spent some of the aftenoon with Mr & Mrs Allis.

Sun. 29, — Weather cloudy, went to bed after breakfast and slept until noon got up and found my client Jone's[115] down here from Brandy City, with a notice for me that the suit was withdrawn. he paid me $25.00 on account of fee's my charge was $50

Mon. 30, — [Following is crossed out, but was evidently a mistake for Tuesday, December 1, q.v.:]

At home during the day doing nothing in particular; in the evening; J B Whitcomb came down and tried as I thought pretty hard to bribe me in the suit's pending against Houghtaling; finally went home to be down, on to morrow hired Dick Wade[116] and gave him ten dollar's to go down to Foster's Bar and tell Sargant and the other creditor's to come up and commence their action's against Whitcomb & Co

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Stormy day; went to Camptonville with W W Allis; saw Sterrits and some of the other's talked over old affairs with them; gave my proposition and $30 into the Masonic Lodge to become a member; came home after dark

DECEMBER 1857

Tue. 1, — Nothing much doing to day; Whitcomb came down and talked for hour's to get a settlement of the suit's against Houghtaling tried as I thought to bribe me in the matter; I send Dick Wade down to Foster's to tell Sargant and Moreton to come up and commence their suit's

Wed. 2, — Sargant came up, I made out his paper's and sent him over to Camptonville; Brown came over and placed another attachment on Houghtaling; just in time, just as he was effecting his sale to Whitcomb; studied all day like a trooper to prepare for the fight

Tue. 3, — About noon the partie's came up McQuaid appeared for the Defendant's; case of Wilmarth vs Whitcomb & Co continued until Monday;

case of Batchelder vs Houghtaling likewise continued until Monday; — had a grand settlement of all the affair's; recd $90 each on the Sargant & Wilmarth cases; Dft's paying costs of suit Batchelder's case settled upon note's promised to be given; I received $50 from the Wilmarth case, $40 from the Sargant case, and $25 from the Batchelder case; pretty good day's work

Fri. 4, — Raining some to day, done nothing much in particular. in the afternoon played some poker win about $30, and lost it again during the night rained very hard during the night; Pete Thompson a Dutchman came up during the night and paid me ten dollar's on an old account

Sat. 5, — Felt kindly dull during the day went to bed and tried to sleep some; Thompson and Wood a Negro came up I tried to settle some little difference's for them James S Slingerland came back saw him and had some little conversation with him; relative to home affair's; Rained again very hard during the night.

Sun. 6, — Cool weather and dull time's Spent almost all day with Slingerland, talking about home, felt homesick, and bad; the weather cloudy and quite cool

Mon. 7, — Cold weather again to day stormed some hailing and snowing a little

Tue. 8, — Went to Foster's Bar; receed an account from John Dixon, for collection on J B Whitcomb & Co; came up to Camptonville called on Mr Andrew's; he retained me to attend a suit for him at Camptonville on Saturday next, came over home, found a man by the name of Reed, who retained me to attend a suit in behalf of the People against two men Ustel[?] and Harpending for willful and maliciou's mischief, fee's $25 receed $15 of him; McQuaid appeared for the defence; trial was had no defense was offered; case submitted to the jury after a long argument; jury retired and returned twice for instruction's and about 1 Oclock returned and reported themselve's unable to agree, the Court D O Adkinson remanded them to their room to render a verdict in the morning

Wed. 9, — Got up early in the morning at 9 Oclock the jury were brought in and discharged; I then entered a nolle prosequi and the prisoner's were discharged my client came over and paid me $4 more on my fee's; played some poker lost about $20; it stormed almost all night and snowed some.

Thu. 10, — Done nothing much during the day went to bed and slept almost all day; the weather somewhat moderated during the day and in the evening commenced raining hard

Fri. 11, — Raining as hard as it can pour all day, snowing and hailing some

Sat. 12, — Raining hard in the morning went over to Camptonville with D O Adkinson to attend a suit for, Andrew's; found that Tompkin's had made a mistake and set the trial for Sunday; Court ajourned until Wednesday and issued a new process; came home in the evening got into a game of poker, and played until morning lost some $10 quit for good.

Sun. 13, — Doing nothing much during the day, but endeavouring to settle up my affair's preparatory to leaving, reced $10 of Herring for rent of the Hall house; endeavoured to settle with Whitcomb but could not the weather cold and clear large cave's all over the Hill.

Mon. 14, — Heard of a murder's being committed at Foster's Bar; Nelson Johnson being the person killed; about noon, a crowd came up from there having in charge Michael Lyon's and Patrick Lynch; the Court appointed me as counsel for Dft's and I agreed to act as such, upon the promise of the Court to certify my account, and upon obtaining from the prisoner Lyon's a promise to pay me the sum of $25.00 the case was called McQuaid for the prosecution; case was ajourned, until tomorrow at 4 Oclock; obtained from the Court an order that the Dft's be examined seperately and a farther order that Lynch be tried first which presented the novel appearance of trying an accessory before the conviction of the principal

Tue. 15, — Hired a horse went down to George Mixe's left a letter for him; came up to Foster's saw Johnson, he was cut up awfully came up home by the way of Camptonville with D B Scott, John Atchison and other's here; at the hour appointed Court was called, made several desperate motion's in behalf of prisoner's was overruled in all, the whole thing looked mighty bad, outsider's trying to compromise obtained the discharge of Lynch, then filed my own affidavit for the ajournment of the case the same being granted until 9 Oclock to morrow

Wed. 16, — All hands here early, a compromise agreed upon, the Court refused to allow it, made a hundred motion's and fought desperate, all no use every motion I made overruled Adkinson appeared worried and acted as if determined to push it through anyway, felt awfully indignant at the Court; the evidence once admitted all hope was gone; the Court refused to give me time to prepare for my argument I then acted contrary and determined to speak for four hour's I spoke until I tired him out when he dried me up and committed the prisoner,— went over to Guse's played some poker win $20; saw a very strange phenomenon in the heaven's at the North it spread rapidly to the west, was a glow like a furnace or an immense fire, subscribed for the San Juan Star[117] to be sent home to Father

Thu. 17, — Went over to Camptonville with Adkinson; case of Andrew's vs Moore called, motion made to dismiss by McQuaid for the Dft. motion overruled, they then refused to plead and I obtained judgement, went to Rail Road Hill to collect some money, from there to Galena Hill on the same business from there I came home, done nothing much during the evening played some billiard's as a farewell game with Bob Logan stuck him five game's

Fri. 18, — Making preperation's to leave went around the Hill settling up my bill's; my man came over from Rail Road Hill, and settled I was bothered in settling with Murray and found I could not leave, until to morrow, made a transfer with Hopkins to settle beef bill; had a long confi-

dential talk with Wm. Allis, made good resolve's and promise's for the future, wrote a letter in verse to Wm. Foy; saw a large tree cut down on the hill, bet on the length and measured it; 200 feet in length and some of the top broke off at that six feet through at the butt, pitch pine.

Sat. 19, — Fine morning went out and saw them pipe some; settled with Murray turned Store bill of $51.40 and gave my note for eighty five dollars; went around in the afternoon bidding all good bye when some of the boy's wanted me to go into a mock trial, of a Dutchman for abusing his family, we went at it had a jury, judge &c; I was prosecuting counsel drew up a complaint full of law latin accusing him of Willful Desertion and also perjury in a breach of his marriage vow's, got him scared and crying, he gave a bond for his future behavior; left in the evening with John Johnson, had a very interesting parting from the boy's; came over to Camptonville, reced fee of $30.00 from Andrew's left $10 for Brown

Sun. 20, — Came down in the morning to Foster's spent the day there in settling, had quite a time of it, reced $40 in settlement from Bach — $16 from Hernandez, $15 from Mick, and $50 from Andy Divier, $25 of which was to be paid to Lyon's and the other to go to me for his fee's;— went up after dark to Oregon Hill with Dan Gattan's, went to the boy's cabing [sic] had an oyester supper and a fine time, as an honor to me, kept it up pretty late.

Mon. 21, — Came down to Marysville, put up at the Haun House; bought a suit of clothe's paid $101.00 for them; went up to jail and saw Lyon's; spent a portion of the day with Gen Rowe, saw Weaver ran around town some in the evening with Frank Aud planning some for the future.

Tue. 22, — Spent most of the day in the office of Gen Rowe; saw Lyon's reced $25 of him, and wrote to Andy Divvier to send the other $50.00 to Rowe; in the evening went out to Rowe's residence to stay all night made the acquaintance of his family and a Mr Cooper a medium he was influenced gave me an exibition of his power read a number of communications

Wed. 23, — Concluded to remain to day, went out hunting with Mr Cooper had a fine time, shot blackbird's and Lark's in the forenoon and in the afternoon went out in the wagon [and] scared up gee's and hare had some fine run's after hare and shot at bird's out of the wagon; spent the day in this manner; in the evening had a fine time; set up with Mr Cooper and conversed with the spirit of my Father

Thu. 24, — Came into town with the General had my mouth fixed for false teeth at Dr Thompson's;[118] spent the day in running around; bought some boot's and 'c, saw Miss Wingman in the evening nothing much doing; boy's running around with fire barrell's &c —

Fri. 25, — This morning Egg nog by the barrell all over town, spent the day rather dull; reading most of the time. had my teeth put in; paid $25 for them; settled my bill at the Haun House; preparatory to leaving in the morning

Sat. 26, — Came down on the Gov Dana fare 25 cts made the ac-

quaintance of T. Findlay State Treasurer elect[119] who was on board; arrived at Sacramento took lodging's at the Orlean's[120] for the time; found Tracy Kingman ran around with him and had a fine time; found plenty of candidate's in the field Called on Gen Rust with John O Neil;

Sun. 27, — [Following is crossed out:]

Ran all over town to day with Tracy Kingman looking up a room; went to a Mrs Torrey's on 3rd St between L and M,[121] was invited by her to dine; at five. Tracy and I had lots of sport;

Spent most of the day with Tracy, had a fine time; called at a Mr Brewton's was introduced to a Miss Ada; saw the car's leave the first time in the state[122]

Mon. 28, — Settled my bill at the Orlean's; had my trunk's taken to Mrs Torrey's took breakfast there and commenced boarding with her; found a very agreeable company of Ladies there spent the day in drilling and being drilled by the respective candidate's for office; in the evening had a game of whist; and other fine amusement's enjoyed myself finely and was well satisfied with my home: —

There is an error here went around town to day with Tracy looking lodging's had a fine time dine[d] with Mrs Torrey on 3 st bet L & M engaged a room and board with her at $16 per week; to commence in the morning

Tue. 29, — Spent some of the morning in the parlor, went with [name omitted] around to the Court house saw Mr Deighan[123] was introduced by him to most of the County official's; spent the afternoon with Mr Lewis Editor of the Herald of the Morning[124] called with him on Dr Bournie the celebrated Spiritualist and physician; think I never saw a more excentric individual came home with Dr Warfield[125] member from Nevada. took Dinner; was informed by Mrs Torrey that a dance would be held at our house to morrow evening

Wed. 30, — Spent the day in running around Went out with Mrs Torrey calling, went to Mr Whiteside's met Gov Johnson[126] had a long conversation with him was much pleased with him called at several place's, and had a very fine time; in the evening had a fine party at Mrs Torrey's enjoyed myself hughly; escorted Miss Ada Brewton home;

Thu. 31, — Arose in good season went to the Orlean's; saw the boy's; sent $20. down to Mary Cowell; Aud, Spillman and Senator Allen came down went around electioneering some for T M Coomb's for Engrossing clerk. loaned Whiteside's $20.00; came home and spent almost all day here. the day very pleasant and quiet went out around town during the evening with Judge Deighan drinking Larger Bier and c also around with Johnny O Neil who swore veangeance on Ben Ely

Farewell old year
Let this brief record tell
Whether my course by honor steered
Has been directed well

The Author

[On a page headed "Memoranda" appears the following:]

Fosters Bar Mountain Dec 21st, 1857.

Six long year's have nearly flown
Since first I trod this mountain's brow
I came a stranger boy unknown;
A Lawyer, Legislator, and a man I leave it now
With empty purse and sorrowing heart
I came, a toiling stranger, here
Since then, with energy i've filled my part
Until honor's and indep[en]dence now I bear.

[And on the last "Memoranda" page:]

Kind stranger if within you cast your eye
Deem not the record of my life quite dry
Unfitting theme it well may prove
As no adventure in the path's of Love
Is here recorded as a theme
For poet's muse or reader's dream
But uncouth history of a life of one
For eight long year's a wanderer from home
Stranger alike to home and all it's joy's
An humble student of my country's law's.
But then perchance kind reader you may find
Something within that's pleasing to your mind
At least what's here's the truth; and truth they say
Is a rare jewell, rarely found at this late day
I think I hear you say the greater shame
That any man should have such record to his name
But hold kind reader every one has fault's
The prouder man the higher his ambition vault's
And if he fail's; oh what a fool all cry
That he the dunce should such an effort try
But if he gain's; all join in one acclaim
We knew he would! oh what a smart young man
Thus is it with the world if success attend your way's
Fear not for friend's you'll have them all your day's

NOTES TO THE JOURNAL OF CHARLES E. DE LONG FOR 1857

1. Few of the early miners of California intended to remain permanently on the Pacific Coast. They came to "make their fortunes" in the diggings and then to return to their wives or sweethearts in "The States." While a certain few did return — whether with the hoped for fortune or no — to the great mass of the "Forty-niners" the memories of the old home and of the girls they had left behind them faded slowly with the passing years, as they drifted into other occupations or wandered throughout the West seeking an elusive fortune in newly discovered diggings. De Long's intent to return to his boyhood home in New York State lingered for nearly a decade after his arrival, but he was destined not to see it again until 1868, and then only for a fleeting visit.

2. The United States Hotel at Camptonville was run by a Mr. Ford. It closed up about 1869. (Meek.)

3. "Judge" John M. Crowell, Justice of the Peace at Foster's Bar, later lived for many years in Camptonville. (Meek.) (See also Note 24, 1855.)

4. George Allis moved from Young's Hill and with one Wells planted an orchard at a point on the high ridge east of Camptonville known as Wells' Ranch, a mile above "Nigger Tent." (See Note 53, 1854.) Allis and Wells had a disagreement with the owners of the "Tent," and one fine day awoke to find their houses, barns and stock mysteriously afire. After that the place seemed "sort of unhealthy" and Allis went back to "The States." (Meek.)

5. De Long's strenuous attempt to avoid the attachment placed on the property, as here detailed, was ingenious but not a little unethical. In brief, his scheme was to make it appear that title to the property of the partnership of King and De Long, on which the attachment was attempted to be levied, had been transferred to other persons prior to the levy of the attachment by the sheriff. If he could prove this to be the fact the property would be exempt from attachment.

6. T. F. Moody was Justice of the Peace at New York Flat.

7. This worthy has not been identified.

8. The California "Civil Practice Act" in force in 1857 provided that "the tent and furniture, including a table. camp stools, bed and bedding of a miner; also, his rocker, shovels, spades, wheelbarrows, pumps and other instruments needed in mining, with provisions necessary for his support for one month "should be exempt from execution, after a judgment had been rendered against him." (Art. 953, Sec. 219, Wood's Digest, p. 195.) De Long's argument to the effect that a miner's sluice boxes were exempt was no doubt based on the theory that such sluice boxes were "other instruments used in mining."

9. The "singing school" has unhappily passed away, along with the late lamented debating societies, hoop skirts, girls who "fainted," and similar memorable institutions of an earlier day.

10. Notowa (pronounced Nah'-to-way) was the aboriginal name for the grassy hillsides and flats where a large spring poured forth a goodly stream and where John Ramm later nursed his famous grapes. An important rancheria of the Yuba Indians was found by the incoming whites at this truly charming spot.

11. Nicodemus Young, of "Young's Hill," later moved with his family to Camptonville, but walked away one day and was never heard from again. Mrs. Young is buried in Camptonville. Their daughter "Caddy" married one Carlos Jillson and moved to the bay cities, where she lived for many years. (Meek.)

12. By the Act of May 19, 1853, as amended, it was provided that the judicial system of the State should consist of (1) the supreme court, (2) the district courts, (3) the superior court of the city of San Francisco (abolished in 1857), (4) the county courts, (5) the courts of sessions, (6) the probate courts, (7) the justices' courts, (8) the recorders' courts, and (9) the mayors' courts. As to the district courts, it was provided that the State should be divided into fifteen judicial districts (the counties of Yuba and Sutter composing the tenth such district), each with a "district judge." Their original jurisdiction extended to all civil cases where the amount in question exceeded $200, exclusive of interest, all criminal cases not otherwise provided for, and all matters involving the title or possession of real property, and all issues of fact joined in the probate court. Their appellate jurisdiction was (1) from criminal judgments of courts of sessions, (2) from judgments of courts of sessions rendered on appeal from justices', mayors' or recorders' courts in criminal actions, and (3) from judgments or orders of probate courts in certain specified cases. These courts were abolished when the present superior courts were created by the adoption of the Constitution of 1879, now in force.

13. Respecting the jurisdiction of courts of Justices of the Peace at this period, see Note 27, 1856.

14. Andrews was a hotel-keeper at Camptonville. (Meek.)

15. Doctor Farley rode a "pony express" between Camptonville and Brandy City, but he later "got a sheepskin" and became a physician and "tooth-puller" at North San Juan. He died in San Jose after 1900. (Meek.) His full name appears to have been George S. Farley.

16. See Notes 93, 97 and 98, 1856, respecting the "Thespian Society."

17. E. M. Darneille lived for a time at the Oregon House and later ran a hotel at Camptonville. A grandson now resides in San Francisco. (Ramm.)

18. *The Daily Inquirer,* a Democratic newspaper, was published in Marysville from November 1, 1855, to December, 1857. J. De Mott & Co. were the first publishers, with George C. Gorham, later Secretary of the United States Senate (1868-79) and Secretary of the National Executive Committee of the Republican Party (1876), as the first editor. Later Oscar O. Ball became its publisher, while Gorham was succeeded by W. N. Walton, then W. H. Mantz, and finally Messrs. Buckeley and Coulp. The *Inquirer's* politics were successively Democratic, neutral, Know Nothing, and finally Democratic again. (T. & W., *Yuba County,* p. 74.)

19. Mining under the crumbling banks of the hard ancient gravels of the higher ridges was dangerous business. Tunneling was even more so, as the science of mine timbering was then little understood. It was not until the best minds of their day had grappled with the timbering problems of the Comstock that tunnel mining became reasonably safe. "Killed in the diggings" was a frequent epitaph in early California.

20. A "nonsuit" is the name of a judgment given against the plaintiff in an action at law when he is unable to prove a case, or when he refuses or neglects to proceed to trial after the case has been put at issue. Such a judgment does not determine the issue and therefore does not preclude the plaintiff from bringing another suit upon the same subject matter if he be so advised.

21. So far as can be ascertained, no file of the *Express* of the date in question exists.

22. See Note 61, 1854.

23. The *National Magazine* was "devoted to literature, art, and religion." It was published from July, 1852, to December, 1858, in New York, by Carlton & Phillips. Its editors were Abel Stevens (1852-June, 1856) and James Floy, July, 1856-1858).

24. Stephen Spencer lived at Young's Hill, then at Weed's Point, and later at Camptonville. He married Miss Carry Green, sister of a part owner of the California Stage Co. (Meek), and was State Senator from Yuba County, 1874-77. (T. & W., p. 121.)

25. See Note 92, 1856.

26. *Hutchings' California Magazine* was published monthly at San Francisco by the well-known J. M. Hutchings, an Englishman who was by profession a stationer and bookseller. His magazine measured up well with others then published in "The States," and was profusely illustrated with excellent woodcuts, many of which were later used by the editor in his well-known volume, *Scenes of Wonder and Curiosity in California.* In 1861, Hutchings discontinued his magazine and took up a "claim" on the floor of the Yosemite Valley, where he built and operated the first hotel. In 1880 he was made Guardian of the Valley, and his book on the Yosemite entitled *In the Heart of the Sierras* found wide circulation during the 'eighties. He lived to a ripe old age and was buried in the tiny Yosemite burying ground in the shadow of the great cliffs which had been made known to the world so largely through his efforts. Hutchings was also the author of the famous "Miners' Ten Commandments," of which no less than 97,000 printed on letter sheets were sold in a single year late in the 'fifties.

27. The *Sierra Citizen* was started at Downieville in February, 1854, by Calvin B. McDonald, who later the same year purchased the plant of the earlier *Mountain Echo.* The *Citizen* flourished for about a decade, passing through several hands before its demise early in the 'sixties. (Fariss and Smith, *History of Plumas, Lassen and Sierra Counties,* p. 483.) The copy containing De Long's tale of Pandora has not been found in any library.

28. *The Irish Tiger* was a farce, in one act, by John Madison Morton (1811-1891), author of *Lend Me Five Shillings, Wedding Breakfast, Double-bedded Room,* and many other popular plays. It was published in New York by Samuel French. (See French's *American Drama,* the acting edition, No. 84, "To which are added, A Description of the Costume — Cast of the Characters — Entrances and Exits — Relative Positions of the Performers on the Stage, and the whole of the Stage Business, as performed at the American theatres.")

29. "Judge" Heath was one of the early Justices of the Peace of the Yuba mountains, and was "quite a character." (Meek.)

30. The livery stable had been started by De Long on June 14, 1856, in company with Harvey Carpenter. It was a losing venture.

31. Dr. Xavier Link was at this time practising medicine at Galena Hill. He later removed to Marysville. (*State Register,* 1857 and 1859.) This was the case which had been postponed for ninety days on December 24, 1856.

32. The Clear Creek Ditch took tis water from Clear Creek and Bridger Creek, and brought it through a tunnel to Young's Hill. (Meek.) It was a difficult feat of pioneer engineering, but was worth while, for its water made possible the extensive exploitation of the rich Young's Hill gravels.

33. A careful search of contemporary publications has failed to disclose any such effort. However, in *Hutching's Magazine* for April, 1857, at page 480, there is a note, under the heading "Contributors and Correspondents," to the effect that, among other things, "A Miner's Reverie, by Eagle Wing," had been received, the editor adding, "We have been favored for the past month with a large number of articles intended for our columns, many of which are really meritorious, that we are compelled to lay aside for the present — they may appear hereafter." Evidently "The Miner's Dream," "Reverie" or "Return," as the case may be, was not of the chosen.

34. Dr. R. N. Webber removed from Camptonville to Marysville shortly after this period. (*State Register*, 1857 and 1859.) Webber Lake was named for Dr. Webber. (Meek.) (See Note 15, 1854.)

35. John Morgan later committed suicide with a shotgun at the Ante Up Mine in Sierra County. (Meek.)

36. Stephen J. Field, son of the Rev. David D. Field, an eminent New England divine, and brother of David Dudley Field, author of the New York Codes, and Cyrus W. Field, projector of the Atlantic cable, was born in Haddam, Connecticut, in 1816. He entered the practice of law at New York in 1838 with his brother David Dudley, but caught the gold fever a decade later and landed at San Francisco on December 28, 1849. He was one of the founders and was First Alcalde of Marysville, where, a year later, he engaged in a violent controversy with the local Judge, William R. Turner. For several years he was considered the ablest lawyer in northern California and represented Yuba County in the Legislature, being the author of many important bills, particularly those involving problems of judicial practice and procedure. In 1857 Mr. Field was elected one of the Justices of the California Supreme Court, and on the resignation of Judge David S. Terry in 1859, Field became Chief Justice. In 1863 he was appointed an Associate Justice of the United States Supreme Court by President Lincoln. He held that office until December, 1897, when he retired, and on April 9, 1899, he passed away at his Washington, D. C., home. He had a stormy career. The feud with Turner, the trouble with Judge Terry, resulting in the killing of Terry by Field's bodyguard at Lathrop in 1889, and many another incident disclose his fiery character. As a Justice he was known as hard working and extremely conservative, and his career of thirty-four years in his high office was, at the time of his death, the longest on record. Judge Field's *Personal Reminiscences of Early Days in California with Other Sketches* were "privately printed for a few friends" in 1880. See also Shuck, Oscar, *Representative Men of the Pacific*, San Francisco, 1870, pp. 685 *et seq.* for a brief but excellent account of Judge Field's life.

37. Joseph Chitty was one of the best known of the law writers of this period. His volumes on the law of Bills and Notes, Commercial Law, Constables, Criminal Law, The Law of Nations, Medical Jurisprudence, Pleading, and Contracts, were well known, and constituted a large part of the material for the study of law during the earlier half of the Nineteenth Century. The volume mentioned by De Long was probably Chitty's *Law of Contracts not under Seal*, edited by John A. Russell, with notes by J. C. Perkins, 8th American from 4th London Edition, Springfield, 1851.

38. Bradford was later called "Major General" Bradford, and is said to have organized a volunteer corps for service in the battles of the lava beds in order to obtain revenge against the Indians who had attacked his overland train. (Meek.)

39. Dave Sargent worked as a "packer" for A. J. Batchelder and packed all over the mountains for him. He was robbed on one occasion and tied up to a tree. Later, at the age of 80, he married a widow from North San Juan, but lasted only about ten days, when — unable to stand the shock — he died. (Meek.)

40. The woodcut of the Suspension Flume which appeared in *Hutchings' California Magazine*, September, 1857, p. 105 (see reproduction), may well have been taken from this daguerreotype which De Long went to such pains to take. Another excellent representation of this remarkable engineering feat is to be found in Seyd's *California and Its Resources* (see Note 92, 1856).

41. De Long was always a small man, hence his sobriquet "California's Bantam Cock."

42. See Note 79, 1856.

43. William Neely Johnson, a brother of John Neely Johnson who was Governor of California during the Vigilance troubles in 1856, was born in Evansville, Indiana, and came to California in 1850 or 1851. He was a lawyer by profession, and in 1854 ran for City Treasurer of San Francisco on the Whig ticket at the same time that Lorenzo Sawyer ran for City Attorney. Johnson was appointed Secretary of the State Board of Land Commissioners on December 7, 1856. He lost his sight in the year 1866 and for many years was well known in the bar as "the blind attorney." During the spring of 1870 he served as State

Librarian, having recently been removed for political reasons from the United States Land Office at Sacramento, where he had served with notable success for a number of years. He died on June 25, 1885, at the age of 56, and the San Francisco *Call* in speaking of his death said: "He was a lawyer by profession and despite his infirmity, a man of marked appearance, with long white hair and beard, who was usually led about by a boy. When in court he took notes of the proceedings, using as a guide, a wire screen, designed by himself, which enabled him to measure off the lines of his manuscript."

44. Bennett's "National Circus" toured the mining districts of California during the spring and summer of 1857. The programs given by these circuses consisted largely of horse-back riding and were exceedingly popular at this time. There were several rival companies in the field, including Rowe's, Lee & Marshall's, Lee & Bennett's, and finally Bennett's National Circus. On April 18, 1857, the *Weekly Butte Record* declared that this organization had "come out with entirely new trappings, performances, etc. They have the largest canvass ever in the State and are spoken of as excelling anything ever before exhibited in this country. They are on their way up country and we expect to see them here." It was on this very night that De Long saw this circus at Camptonville, and on the 21st and 22d of April, 1857, Bennett's Circus performed in Oroville. For detailed descriptions of Rowe's Circus, which was contemporary with this period, see Dressler, Albert, *California's Pioneer Circus* [San Francisco, 1926].

45. The game of Faro, said to be so called because the Egyptian Pharaoh was formerly represented on one of the cards, is a gambling game which was very popular among the miners of California, and "bucking the game" at Faro was one of the chief "indoor sports" of the period. In Faro all other players play against the dealer or banker, who takes the cards in couples from a dealing box and deals a winning and a losing pile, the players betting whether the next card of a certain denomination wins or loses. The capital ventured in the game by the proprietor of a faro bank, and the establishment where the game was played were both called "Faro Banks." (See Webster's *New International Dictionary*, 1928.)

The game of Keno (see the French *quine*, five winning numbers, from the Latin *quini*, five each, and *quinque*, five) was a form of the game of lotto once extensively played in gambling. In this game five numbered balls are taken one by one from the spout of a receptacle called a "keno goose." The game has also been called "American Lotto." (*Ibid.*)

46. William H. R. Wood's *Digest of the Laws of California* was originally prepared to include all judicial decisions down to the April term, 1857. It was prepared by Mr. Woods while he was Secretary of State of California, pursuant to an Act of the Legislature of 1857 authorizing its publication and making it evidence of the law in all courts of justice of the State. In addition to the laws of California, it includes the Constitutions of the United States and of the State, the Treaty of Guadalupe Hidalgo, the Articles of Confederation, and numerous other documents of like character. The most important edition of this work was not published until 1861 (San Francisco, H. H. Bancroft & Co., pp. vi and 1189).

47. William Reynolds' *Digest of the Law of Evidence as Established in the United States* was an adaptation of the well-known English work of Sir James F. Stephen on the Law of Evidence. No record of the publication of this work as early as 1857 has been discovered in any bibliography or catalogue consulted, but no other "Digest" by anyone bearing the name Reynolds is to be found, and it is likely that De Long is referring to an early edition of the above volume. One D. Reynolds published a volume on "The Law of Life Assurance" at Albany in 1853, but it seems unlikely that this is the volume referred to in the diary.

48. Digging up the sidewalk, or tunneling under streets, churches, school-houses and the like was a favorite sport in the diggings, and many a nugget rewarded such illicit labor.

49. The "Sager Troupe" has not been identified. At this time, however, numerous bands of traveling actors or minstrels were wandering through the "placers." The "Backus Minstrels," led by Charlie Backus, one of the "Endearing San Francisco Quartet," were well and favorably known. (See Marysville *Tri-Weekly Herald*, June 21, 1855, and Rourke, *Troupers of the Gold Coast*, p. 136.) The *Weekly Butte Record* for April 4, 1857, tells of the appearance at Marysville of the "San Francisco Minstrels," and expresses the hope that Oroville may see and hear them before they return to the Bay.

50. Judge Edwin B. Crocker's *California Digest: being a Digest of Decisions of the Supreme Court of the State of California* was published in Sacramento in 1856, and included all decisions of that court previous to its July term of that year. It is a volume of 243 pages.

51. To "hold pipe" was the most responsible task in the hydraulic mine. At the time of which De Long is writing the rich ancient gravels of the high ridges about Camptonville were just beginning to be attacked by the miners. Indeed, not until large supplies of water were obtained through the construction of extensive, expensive and difficult ditch and flume systems, could these high gravels be reduced.

52. And this before a Justice of the Peace!

53. See Note 54, 1854, and Note 55, 1856.

54. De Long speaks of several "brotherly lectures" during the course of his journal. That they were often needed cannot be denied, but at the same time it must be remembered that our diarist's faults were those of his time, and were matched by qualities of ambition, industry, and real ability which carried him far in his chosen profession.

55. Nick Watson lived in Camptonville in the early days, and was later one of the owners of the rich Alaska Mine at Pike City. He left Camptonville in 1870. (Meek.)

56. Hugh Shirkland kept a general store in Camptonville. (Meek.)

57. Records of colored snows or rains are not rare and reports of such phenomena have been brought from all parts of the earth. (See article by Ivan E. Houk, member of the American Society of Civil Engineers, entitled "Showers of What Not" in *Tycos,* published by the Taylor Instrument Companies, Rochester, New York, April, 1930, pp. 71-74.) Yellow rains are among the most common of such peculiar phenomena. It is perhaps of interest in connection with De Long's naïve suggestion that the coloring matter which others called sulphur might be "electricity," that not ten miles by air line from where he wrote this sentence stands today one of the most important power houses of the Pacific Gas & Electric Company's system.

57a. Probably Adoniram J. Batchelder. (See Notes 28, 1854, and 80, 1855.)

58. Sir William Blackstone's *Commentaries on the Laws of England* was first published at Oxford between 1765 and 1769. It went through editions too numerous to mention, including a well-known American edition by Joseph Chitty, published in New York in 1833, and another by Christian, Archbold & Chitty, published in Philadelphia in 1855. It was the foundation stone of legal education for more than a century.

59. "A cave" — i.e. a cave-in or toppling over of the high bank where a hydraulic mine is being worked.

60. James Kent's *Commentaries on American Law,* first published in 1826, became one of the cornerstones of Anglo-American law. It went through numerous editions, and is still the classic volume on this subject. Naturally, it is not now as authoritative as it was during the early part of the Nineteenth Century, having taken on a somewhat archaic flavor as the years have passed. It remains, however, the great, historic commentary on American law and is of the utmost historical importance. Along with Blackstone's *Commentaries,* the study of Kent's work formed the foundation of a legal education for half a century.

61. Henry A. Crabbe, a prominent politician during the earliest years of California under American rule, enlisted a large number of adventurous spirits during the winter of 1856-57 for the purpose of invading the Mexican State of Sonora. After rendezvousing at Los Angeles, where the party talked of "settlement on the Gadsden Purchase" (now southern Arizona), a start was made via Yuma, and it was soon rumored that in reality a filibustering expedition was on foot in aid of the rebel Gandara faction in Sonora.

The party, its ranks thinned by many desertions, reached Northern Sonora early in 1857, where it met a determined resistance, and in May the news reached California that the whole party of approimately one hundred men, together with its leader, had been slain by the Mexicans at Cavorca, a small town near Altar, Sonora. One boy escaped to bring out the news. (See Barrows, H. D., "Crabbe's Filibusters," in *Publications of the Historical Society of Southern California,* 1911, Vol. VIII, p. 193.)

62. The Slate Creek Ditch Company's ditch ran from Slate Creek to Brandy City. (Meek.)

63. "A new rule of life." Good resolutions were the good young man's stock in trade in the 'fifties. In his law study De Long appears to have made rather efficient use of his time.

64. The Metropolitan Troupe or Company, starring the tiny Lotta Crabtree and under the able direction of "Mart" Taylor, traveled throughout the mining regions during 1857. (See Rourke, Constance, *Troupers of the Gold Coast,* New York, 1928, pp. 124 *et seq.*)

65. Julia King was the wife of George H. King and sister of Dean B. Lyman. (See Note 99, 1855.)

66. It was several years before De Long finally gave up all idea of returning to the old eastern home to live. (See Note 1, 1857, and entry for May 25, 1857.)

67. The Monte Christo Mine was on the high ridge above Goodyear's Bar. It was a famous producer in the early days.

68. Hatty May, daughter of "Judge" May, later became an actress. (See Note 76, 1856.)

69. De Long later became a very important Mason. On November 28, 1857, he applied for admission into the Gravel Range Lodge of the Masonic order. (See entry for that date.) He later became a member of Corinthian Lodge No. 69, of Marysville, being "raised" August 8, 1860; Washington Chapter No. 13, R. A. M., "exalted" November 23, 1860; and Marysville Commandery No. 7, Knights Templar, "knighted" January 28, 1861, as shown by pamphlets of By Laws and Lists of Members in the possession of Miss Elizabeth W. Latham, whose father, William B. Latham, was also an early resident and prominent Mason of Yuba County.

70. The only bright comet of the period here in question was Donati's comet of 1858, which attracted much attention and was visible for some time to the naked eye. In 1857,

however, there were five comets. D'Arrest's comet was discovered on February 22 and was visible for nine weeks, passing perihelion on March 21. Bruhns' comet was discovered on March 11 and passed perihelion on the 29th, being visible for eleven weeks (a reappearance of Brossen's comet of 1846). The others were smaller comets, one each appearing in June, July and August and remaining visible for three, five and seven weeks, respectively. (F. P. Brackett, Professor of Astronomy, Pomona College.)

71. From this small beginning developed De Long's long and important political career.

72. See Note 78, 1856.

73. Three Selfridge brothers lived and mined at Grizzly Hill, Sierra County. One committed suicide after losing a horse race at Indian Valley and the others went to Idaho. In 1902 the oldest of the three returned and prospected Dadd's Gulch, feeling sure that some "good ground" was still left there. (Meek.)

73a. Meek states that this may refer to a daughter of John M. Crowell (see Note 3, 1857), who married John Kennedy and lived in Oakland until her death and burial in Camptonville in 1925. However, De Long spells the name "Cowell" repeatedly, and it may be that he was referring to another person.

74. Brandy City, later an important hydraulic mining center, lay to the north and high above the point formerly known as Cuteye Foster's Bar on the North Yuba, north of Camptonville. It was a populous camp during the early 'fifties, but scarcely a trace now remains save the great hydraulic scars along the ridge. Near Brandy City were Port Wine and Whisky Diggins.

75. Blue Bar has not been identified. It was probably a very small mining camp on the river near Foster's Bar.

76. Probably Benjamin E. S. Ely, of Indiana Ranch. (See entry for July 2.) Ely is listed as an officer in the Grand Temple of Honor of the State of California, of the Sons of Temperance, in the *State Register* for 1859.

77. Bogardus' Race Track was located in a lovely little valley between Camptonville and the Junction House.

78. The year 1857 saw the Democratic Party badly split between the "Tammany" faction, led by David C. Broderick, and the "Chivalry" faction, led by William M. Gwin. The latter had been with John C. Frémont, one of California's original Senators, but had been unseated in 1856 by Broderick's strategy in preventing an election by the Know Nothing Legislature to fill the seat left vacant by the expiration of Gwin's first term. John B. Weller's term as Senator expired in 1857, and he was a candidate to succeed himself, but Broderick and Gwin secretly arranged for themselves to take the two seats. However, Broderick broke the agreement, had himself elected out of order to Weller's seat (not yet vacated), and forced Gwin to a humiliating secret bargain regarding federal patronage before he would allow Gwin's election to what was left of the other term. The result was that the anti-Broderick faction rallied to the support of Colonel Weller for Governor, in opposition to Broderick's candidate for that office, Judge Joseph W. McCorkle. At the State Convention of July 14, 1857, Weller obtained the nomination by a vote of 254 to 61, and was elected Governor, with "Jo" Walkup of Placer County, one of his ablest supporters, as Lieutenant-Governor. (For a detailed account of this memorable political struggle see James O'Meara's *Broderick and Gwin*, San Francisco, 1881.)

79. One "Dutchman's Ranch" was in Sierra County, near Scale's Diggings, run by one Rhendeshauser. (Meek.) However, the name was often given by the miners to Ramm's Ranch at Notowa, a few miles west of Camptonville, and this is unquestionably the ranch here referred to.

80. Ross Sheldon, sometimes called "Bishop" Sheldon (see Note 73, 1855), was also known as "the fighting preacher." He was always accompanied on his journeys by his "fighting dog." (Meek.)

81. "Colonel" Francis L. Hatch came to Marysville in 1854 from Texas. He was District Attorney of Yuba County, 1858-61, later moving to Santa Clara County. In later life he was County Judge of Colusa County. (T. & W., *Yuba County*, p. 50.)

82. The Arcade was a saloon owned by Troxell and McMurray, with the hall above. (Meek.)

83. "Risley's Vatican Circus" had flourished for some years. On July 24, 1855, the *Tri-Weekly Herald* of Marysville (James Allen, editor) stated, "Our citizens are offered a treat for this evening, the most unique and astonishing ever witnessed in California. One of the performers is Signor D'Evani, who, according to the San Francisco and Sacramento papers, is neither more nor less than a piece of breathing and moving caoutchouc. His body is as facile as that of an anaconda, and he can twist it into any shape except tying it in a double bow-knot. Mr. Risley has a number of other phenomena on hand, equally marvelous, which he will exhibit, this and tomorrow evening, in his Pavillion, corner of 3d and Maiden Lane, opposite the City Hall."

84. Edward Stanly was nominated for Governor by the Republican State Convention in

Sacramento, July 8, 1857, over E. D. Baker, D. R. Ashley, T. W. Park, I. P. Rankin, and R. Chenery. Stanly was also the nominee of the "Settlers and Miners'" party. (Davis, pp. 75, 83.)

85. See Note 86a, 1856. Goodwin had come to California from New York in 1850, was County District Attorney in 1850-51, Supervisor in 1855, State Senator 1857-58 and 1878-79, and County Judge 1862-67. He was recognized as one of the leaders of the bar of Northern California.

85a. The Haun House was built by Judge Henry P. Haun (see Note 61, 1855). The name was later changed to St. Nicholas Hotel, and after it ceased to be used as a hotel, part of the lower floor of the St. Nicholas Building, as it was then called, was used by the Rideout Bank. This portion was recently torn down and remodeled by the Bank of Italy, but half of the original building is still standing. Judge Haun's daughter, Mrs. Kate Haun Dewey, is still living in San Francisco. (Stanwood.) J. A. Graves, author of *My Seventy Years in California,* is a nephew of Senator Haun.

86. Re Field see Note 36, 1857. Re Hatch see Note 81, above. De Long was moving in high company, but his nerve was always with him, and he expresses no thought of being out of place with these older leaders of the bar, one of whom would, in less than a decade, be made a member of the United States Supreme Court.

87. Henry S. McCall's "Forms" were standard at the time here in question. McCall also wrote a work on *New York Civil and Criminal Justice* and a volume entitled the *Clerk's Assistant.* The full title of his Form Book was *Precedents or Practical Forms in Actions at Law in the Supreme Court of the State of N. York. Adapted to the Code and Rules of 1852; with the Forms in Proceedings against Ships and Vessels: Partition of Infants' Estate: Sale of Infants' Estate: Admeasurement of Dower: Foreclosure by Advertisement: Determination of Claims to Real Estate and Appeals from Surrogate's Courts.* It was published at Albany and New York in 1852. (pp. viii and 340.)

88. B. C. Forbes was a cattle man, and father of the late E. A. Forbes, three terms District Attorney of Yuba County and later Adjutant General of California; also father of W. L. Forbes of Yuba County. (Meek.)

89. Arthur Miller was a butcher, first of Indian Valley, then at Camptonville, where he bought out John Dixon, and later at Gridley. (Meek.)

90. Colonel John B. Weller was the Democratic candidate for Governor. The Williams here mentioned may have been General C. H. Williams, who was President of the Republican State Convention which met at Sacramento on August 27, 1856, or it may have been George E. Williams (Democrat) who was an Assemblyman from El Dorado County in the '70's and later Superior Judge of that county. (Davis, p. 65; *California Blue Book,* 1907, p. 627.)

91. Called "Uncle John" around the diggin's, and later one of the last survivors at Young's Hill. (Ramm.)

92. One of the chief sports of the day in the politics of the 'fifties was that of "getting the drop" on the other fellow in the way of newspaper backing. Newspapers were frequently started for the sole purpose of carrying on a single political campaign, and papers of the day were far more frank than are those of the Twentieth Century in backing their favorites or their party, and in damning all opponents. In fact, it is probably true that no newspaper of that period could successfully exist if it took a neutral position. Like the sport of buying off the enemy in a Chinese civil war, the sport of buying off the opposition in a newspaper was extremely popular.

93. This may have been "Bill" Swain who ran the Swain & Hudson sash and door factory in Marysville. One of his sons was for many years with the Rideout bank there, and is now connected with the Marysville branch of the Bank of Italy. (Meek.) Stanwood, however, thinks it more likely that this refers to a member of another Swain family living in the vicinity at this time.

94. John Clay had a ranch at Garden Valley midway between Camptonville and Foster's Bar on Willow Creek. (Ramm.) This was a stopping place for teamsters and stages. (Meek.)

95. Finley was a merchant on Slate Range Bar. He was murdered in 1863 by unknown parties using a double-edged dirk. (Meek.) N. D. Rideout became the guardian of his two sons, but both died before manhood. (Stanwood.)

96. Jim Lewis was a butcher at Camptonville. He married a daughter of W. Stevenson and moved to Oakland in 1869. (Meek.)

97. See Note 94, 1855.

98. Dave Calvin later owned the water works at Camptonville. Meek states that he was a "hard-boiled Democrat" to his death bed (1892), but that his son, who is said to be living in San Francisco, is a good Republican.

99. The election of September 2, 1857, gave Col. John B. Weller the governorship by a vote of 53,122 against Edward Stanly's 21,040 (Republican) and George W. Bowie's 19,481

(Know Nothing). The vote for Lieutenant-Governor was: Walkup (Democrat) 37,336; Cheesman (Republican) 16,800; Raymond (Know Nothing) 19,718. Stephen J. Field, of Marysville, was elected to the Supreme Court. Leland Stanford, Republican candidate for State Treasurer, was snowed under. (Davis, p. 84.)

100. O. L. Barbour's work on "Criminal Law" (second edition) was published at Albany, New York, in 1852. He was the author of many other volumes dealing largely with New York law. Thomas Jefferson's *Manual of Parliamentary Law* was for many decades the standard work on this subject.

101. Commencing the practice of law was simplicity itself in the diggings in 1857. No large and expensive library, no suite of offices, not even a stenographer! And typewriters and telephones and dictaphones not yet even thought of!

102. The Sacramento *Daily Union,* most influential of the early newspapers of the valley and mining regions, was not the first newspaper of Sacramento, having been preceded by the *Placer Times,* the *Sacramento Transcript,* the *Settlers' & Miners' Tribune,* and the Sacramento *Index.* The *Daily Union* appeared on March 19, 1851, and while at first an attempt was made to be neutral in politics, on April 29 it hoisted the Whig colors. It supported the Vigilance Committee of 1856. Unlike most of its contemporaries, the *Union* has carried on through the years and still brings the news of the day to the citizens of what it, or one of its fellows, has been pleased to call "Superior California." (For a detailed account of this paper's early existence see *A History of California Newspapers,* New York, 1927, pp. 144 *et seq.* This account was first published in the *Union* on December 25, 1858.) In this paper were formerly published the decisions of the Supreme Court, and it was probably these that De Long was cutting for his scrapbook.

103. General George Rowe came to Marysville in 1850 from Ohio. He was County Treasurer 1851-54 and District Attorney 1862-63. He died in Marysville in 1873. He was an able lawyer, and at one time enjoyed an extensive practice. He dabbled in real estate on the side, and erected one of the early hotels of Marysville. (T. & W., *Yuba County,* p. 50, and Marysville Directory for 1855.) For anecdotes of this rather curious character, see Graves, J. A., *My Seventy Years in California,* Los Angeles, 1927. He was a Spiritualist.

Gordon N. Mott was General Rowe's partner, but left Marysville about this time. He later became Judge of a District Court in Nevada and is mentioned in Mark Twain's *Roughing It.* (Stanwood.)

104. Diligent inquiry among lawyers of long experience in California has failed to elicit any authoritative explanation of the peculiar phrase, "swearing one's life" against another. Considered in relation to its context, however, it would seem to signify that this woman, after the trial of the man whom she had accused, threatened to take his life, and that he, in his turn had her brought before a Justice of the Peace to be bound over by that magistrate to keep the peace.

105. See Note 55, 1856.

106. The *George Law,* for several years one of the best known steamers on the Panama-New York run, was overhauled, redecorated and replaced on the run under the name of the *Central America.* Early in September, 1857, this "palatial side-wheeler" started north from Aspinwall with a full complement of passengers and much treasure from California. Among the passengers was the young and popular head of the "California Stage Company," James E. Birch, not yet thirty years of age, but already for some years the leader of the West's most important transportation system. When the vessel was some four hundred miles off Cape Hatteras a great storm broke over her, and on September 12 she spread her seams and sank, while a sailing vessel in the offing did what was possible to save the passengers. More than two million dollars' worth of California gold and around four hundred passengers went down with the ill-fated steamer. Said the Sacramento *Union* on October 24, 1857, "The unparalleled calamity attending the loss of the *Central America* has been the theme of all tongues since last Thursday afternoon, when the first dispatches arrived from Charlestown." The papers of the day in California carried exhaustive accounts of this momentous disaster.

107. Julia Dean Hayne (1830-1868) was one of the leading actresses of the 'fifties, and made herself a favorite wherever she appeared. Excellent portraits of this famous and beautiful woman are to be found in Rourke, *Troupers of the Gold Coast,* opp. p. 123, and in Winter, William, *The Life of David Belasco,* New York, 1918, Vol. 1, opp. p. 6. In the latter volume it is said that in 1856 Julia Dean was lessee of the American Theater in San Francisco and that she returned to the Eastern States in 1858, later making a tour of the West. William Winter, who first saw her at the Boston Museum in 1854, states that he "was charmed by her exquisite beauty and her winning personality." She went on the stage at Louisville, Kentucky, in 1845, going to New York the next year. Winter remarks that "The existing portraits of her give no adequate reflexion of her beauty." In 1855 she married Dr. Arthur Hayne, son of Senator Robert Hayne of South Carolina, who had debated with Webster. The marriage was unhappy, and she obtained a divorce, later marrying James Cooper in 1866. Two years later she died in childbirth, and her funeral was fittingly con-

ducted at Christ Church, New York, by Rev. Ferdinand C. Ewer, who had been in California, publishing the *Pioneer Magazine* at the time of Julia Dean's western triumphs.

Of her strange attraction for Brigham Young — who certainly should have been a good judge of the ladies — it is said (Werner, M. R., *Brigham Young*, p. 335): "In spite of the number of his wives, Brigham Young, if we can believe Ann Eliza Young (his apostate wife, known as 'Wife No. 19') never lost his interest in new female faces and features. Ann Eliza wrote that Brigham Young fell desperately in love with Julia Dean Hayne, the actress, who played at the Salt Lake Theater. 'He bestowed every attention upon the lady,' wrote Wife No. 19, 'had her portrait painted on his sleigh, and made her an actual offer of marriage, which she refused on the spot, without even taking time for consideration.' Some one told Ann Eliza, and she repeated it to the world, that Brigham Young had ordered one of his wives baptized for Julia Dean Hayne when he heard that she had died, for he was determined that if he could not possess her in time, he would at least have her in eternity." And on page 445: "An incident which caused as much comment in Salt Lake City as the Pauncefort scandal was Brigham Young's own infatuation for Julia Dean Hayne. He gave several parties for this attractive actress during her long engagement at the Salt Lake Theater, where she played in the rôles of Camille, Lady Macbeth, Lucretia Borgia, Medea and Aladdin in *The Wonderful Lamp*. Brigham Young is said to have named his sleigh the Julia Dean, and he also wished to make her first a Mormon and then a Mrs. Young, but Mrs. Hayne, who was divorced from Mr. Hayne, found a young admirer in the Gentile Secretary of Utah Territory, James G. Cooper, whom she married."

108. A Mrs. Westrope. (See entry for November 9, 1857.)

109. This entry is not at all clear. De Long has not heretofore mentioned any "enemies." However, he was now in politics, and it may be assumed that the political animosities so prevalent during this period had long since engulfed him. It is more difficult to identify the "gal."

110. The first California State Prison was a ship moored in San Pablo Bay off Vallejo, which commenced operations in December, 1851, by the reception of thirty-five prisoners. This temporary arrangement continued, with the exception of one year, until 1858. However, by an Act approved May 1, 1852, the State Prison Inspectors and the State Superintendent of Public Buildings were instructed to select a site for a State Prison, not to cover more than twenty acres nor to cost more than $10,000. After viewing a number of sites about San Francisco Bay, including Goat Island, the present site of the State Prison at Point San Quentin was selected. Buildings were then erected and the "lessee" with his convicts took possession. It was the custom at that time to lease out the convicts to such a "lessee" at a specified price per convict.

When the contract with the "lessee" was made in 1851 both the State and the "lessee" estimated that there would never be more than fifty convicts in the prison at one time. However, no less than 527 convicts were actually turned over to the "lessee" during the four years ending January, 1855, and of these 98 escaped and only 41 were recaptured. The "lessee" reported that "quite a number" of those who escaped or attempted to revolt were killed, but that only twenty-one of such decedents had been reported to him. Prison revolts were common and escapes continued to be so numerous that in 1855 the Legislature provided for the doubling of sentences on account of attempted escape (presumably this did not apply to life termers). By 1855 the condition of the prison had become so scandalous that certain inspectors appointed by Governor Bigler reported that a board of three prison directors should be erected. The Legislature of 1858 gave the matter particular consideration, and a note regarding the Special Committee Report will be found in the Diary for that year, De Long having been a member of this Special Committee. (See Ford, Tirey L., *California State Prisons*, San Francisco, 1910.)

111. In 1856 there was considerable migration to Honey Lake Valley (on the east side of the Sierra summit, in what is now Lassen County) and the town of Susanville had taken on a busy aspect. Most of the newcomers came from the California mines, which were then in the process of "playing out." It was the "Land of the Never Sweats" and the site of the "Free and Independent Territory of Nataqua." (See Fairfield, A. M., *Pioneer History of Lassen County, California*, San Francisco, 1916.)

112. Indian Hill was a point in western Sierra County above Indian Valley. (See Note 70, 1856.)

113. The National Hotel at Camptonville was kept by Frank Rampin, formerly of Young's Hill. It lasted only two or three years. (Meek.)

114. The Gravel Range Lodge No. 59 of the F. & A. M. was organized at Camptonville on May 4, 1855, by J. R. Vance, C. A. Twigg, J. A. Dunn, J. W. Sterritt, P. Zimmerman, J. M. Gillespie, W. G. Lockwood, W. Stevenson, L. J. Bowlsby, J. Crawford, and W. G. Graham. The first officers were: J. M. Winn, W. M.; J. Gillespie, S. W.; J. A. Dunn, J. W.; J. Crawford, Secretary. At one time it had sixty-two members. (T. & W., *Yuba County*, p. 99.)

115. John Jones kept a hotel at Brandy City, and was a "hard heavyweight." He later ran a hotel at Camptonville, where he died in 1878. (Meek.)

116. Dick Wade was a prospector who later went to Gold Lake and made his living fishing for the market. (Meek.)

117. The San Juan *Star* first sent forth its rays in November, 1857, under the guidance of J. P. Olmstead and T. J. Waters, who had been publishers of the Iowa Hill *News* in Placer County. It existed as a weekly until August 14, 1858. The firm of Avery and Waters bought out the old firm, let the *Star* go out and started a new weekly paper known as the *Hydraulic Press*, neutral in politics and religion, as had been the *Star*, under the editorship of B. P. Avery. Later the well-known pioneer, O. P. Stidger, started a paper under the original name, and for many years the North San Juan *Star* shone under his guidance. (See *A History of California Newspapers*, New York, 1927, p. 240.)

118. Dr. W. P. Thompson, from New York, practiced dentistry at No. 80 D Street, Marysville, during the middle 'fifties. (Amy's Marysville Directory, 1858-59, p. 81.)

119. Thomas Findley, State Treasurer-elect, came to California from Pennsylvania in 1852 and mined at Rough and Ready, later running a general store at Grass Valley. (See *Hutchings' Magazine*, March, 1858, pp. 388-89, for an account of Mr. Findley's career, and the April, 1858, number, p. 440, for a woodcut portrait.)

120. The Orleans Hotel, J. H. Virgo, proprietor, was located on Second, between J and K streets, Sacramento. (Taylor's Sacramento Directory, 1858.)

121. Mrs. M. A. Torrey is listed in Taylor's Sacramento Directory for 1858 at the address given by De Long, with the notation "private boarding." In Irwin's "Sacramento Directory and Gazetteer" for 1857-58 she is stated to have come to California from Maine.

122. This unquestionably means "for the first time" that *De Long* had seen "the cars" in California. The Sacramento Valley Railroad, to the operations of which this statement refers, was commenced in February, 1854, and under the able direction of Theodore D. Judah, later the progenitor of the "Central Pacific," was completed to Folsom in time for the first train to carry the merrymakers to that point on Washington's Birthday, 1856. Thereafter a regular daily service was maintained. The cost of the road was $1,568,500, and since it was the first railroad in California, it attracted great interest. It was purchased in 1865 by the Central Pacific and is now a portion of the Southern Pacific Company's Placerville branch. (See Davis, W. J., *History of Sacramento County*, Chicago, 1890, p. 119; also Wheat, Carl I., "A Sketch of the Life of Theodore D. Judah," *California Historical Society Quarterly*, Vol. IV, p. 219, September, 1925.)

On December 27, 1857, the Sacramento Valley Railroad advertised in the Sacramento *Daily Union* that on and after that date, as a "winter arrangement," its passenger trains would leave Sacramento daily, except Sunday, at 7½ A.M. and 2½ P.M.," and on Sunday at "7½ A.M. and 4 P.M." with no excursion tickets on Sundays. Two freight trains were also run on week days. It was declared that stages connected with the morning train at Folsom for :"Nevada, Grass Valley, Auburn, Iowa Hill, Forest City, Downieville, Orleans Flat, Ophir, Gold Hill, Illinoistown, Yankee Jim's, Greenwood Valley, Georgetown, Mormon Island, Coloma, El Dorado, Diamond Springs, Placerville, Prairie City, Michigan Bar, Cook's Bar, Wall's Diggings, Live Oak City, Arkansas Diggings, Willow Springs, Drytown, Amador, Sutter, Jackson, Fiddletown, and all other intermediate points."

123. "Judge" J. P. Deighan came to California from Ohio, and for some years was Secretary of the California Stage Company. At the time here in question he was Undersheriff of Sacramento County. (See November 28, 1858, and note, for an account of his death.)

124. The *Herald of the Morning* appeared as a Sunday paper on December 20, 1857, with J. C. MacDonald & Co. as publishers, and Calvin B. MacDonald as literary editor. It was a Spiritualistic paper, and lived for but four weeks. (T. & W., *History of Sacramento County*, 1880, p. 96.)

125. J. B. Warfield served as Assemblyman from Nevada County in 1858 and from Sonoma County in 1867-68. He died at San Francisco in 1878. (Davis, *Political Conventions*, p. 660.)

126. J. Neely Johnson, born in Indiana in 1825, had practiced law there and in Iowa before coming to California in July, 1849. After engaging for a time in teaming and mining, he opened a law office in Sacramento, was elected City Attorney in the spring of 1850, and that autumn was elected agent to go to the relief of suffering immigrants. He was appointed special territorial census agent by President Fillmore, and was made a Colonel on Governor McDougal's staff in 1851, later going to the seat of the Mariposa Indian troubles. He represented Sacramento County in the Legislature of 1853 as Assemblyman, and on September 5, 1855, was elected Governor on the American or "Know Nothing" ticket. After relinquishing the governorship he removed to Nevada (in 1860) and represented Ormsby County in the first Nevada Constitutional Convention in 1863. In 1867 he was appointed a Justice of the Nevada Supreme Court, and was elected to that office on the expiration of his term of appointment. In January, 1871, he resumed the practice of law, and shortly thereafter was appointed by the President as one of the Visitors and Examiners of West Point Military Academy. Mr. Johnson died in Salt Lake City on August 31, 1872, from the effects of a sunstroke. (Davis, *Political Conventions*, p. 598.)

REVIEWS AND NOTICES

Uncle Sam's Camels. The Journal of May Humphreys Stacey, supplemented by the Report of Edward Fitzgerald Beale (1857-1858). Edited by Lewis Burt Lesley, M.A., Associate Professor of History, San Diego State Teachers College. Cambridge: Harvard University Press, 1929. 298 pp.; illustrated.

That camels were used for freight transportation in western America for a number of years is a fact well known to many students and readers of western history. The extent of this employment, the origin of the animals and their ultimate fate, and the causes of the trial and termination of the experiment are, however, not so well known. From time to time someone with a disposition for historical research, or with an eye for the picturesque, has stumbled upon the trail of these incongruous beasts and has pursued it for a short distance. In most instances this pursuit has been in the direction of the trail's origin, for towards the destination the tracks soon become indistinct and confusing. So many strange and surprising things are uncovered in the pursuit of these trails that it is remarkable that there has not resulted long ago a comprehensive study of the American camel transport enterprises.

A portion of the story has, in fact, received a fair amount of publicity. Widely heralded in its day was the importation in 1856-57, by the United States Army, of two shiploads of camels. Under the administration of Jefferson Davis, as Secretary of War, and due very largely to the energy of Lieutenant Edward F. Beale, these camels were landed on the coast of Texas and were used for a brief period in transporting freight in the Southwest. The story of their importation, and of the preliminaries to that experiment, is set forth in a comparatively obscure government report.[1] More accessible are several accounts that have appeared in periodicals.[2]

Other phases of the camel experiment have, until the past few years, received very little attention save in contemporary newspapers or in incidental references in books on other subjects.[3] It is not generally known — or it has not been until quite recently — that there were other importations of camels into America besides those of the War Department. One finds references to camels being employed in the mining regions of Nevada and in the Fraser River country of British Columbia; one hears tales of camel-hunting in Arizona decades after the last camel had been stricken from the army property rolls. But so scattered and meager are the references to these incidents that it has not been an easy task to bring them together into anything like a systematic account.

During the past few years several individuals have been exploring this field, each apparently unaware of the extent of the work that the others were doing. Two have published their findings, and in doing so have covered the ground so well that there probably remains very little to be added. First to report was Mr. William S. Lewis, of Spokane, Washington. His article[4] recapitulates the early history of camel importation, the results of the army experiment, and the

disposal of the government camels when the experiment was abandoned. The more important part of Mr. Lewis's article, however, is that which traces the dispersion of these camels throughout the mining regions of the West — in Nevada, Arizona, British Columbia, western Washington, and Montana.

Another summary of the camel story, more comprehensive than any that has appeared, was in the meantime in course of preparation by Mr. A. A. Gray, who submitted his manuscript to the California Historical Society for publication just prior to the announcement by the Harvard University Press of Professor Lesley's book on the same subject. While the ground covered by Professor Lesley and Mr. Gray is to a considerable extent the same, the treatment of the material differs sufficiently to render the publication of the latter's study desirable.

The writer of this review had also planned a contribution to the history of the camels and had gathered in the course of his researches some of the same material acquired by Lewis, Gray, and Lesley. The origin of his interest in the matter was in the odd intrusion of camels into the scenery of the Sierra Nevada in certain sketches by Edward Vischer in 1861. The camels depicted by Vischer were not the government camels brought to California by Beale, but were a private importation from Siberia, landed in San Francisco in July, 1860, and conducted across the Sierra to the Washoe mines the following year. This importation has been described to some extent by the other camel investigators, although the references to it in the Vischer publications appear to have been overlooked.[5]

Coming now to Professor Lesley's book, we find that he has explored the important known sources of published information and that he has added a hitherto unpublished narrative connected with the camel experiment. It is hard to say which is the major theme of this book: the story of the camels, or the story of Beale's wagon road expedition and young Stacey's experiences therein. The larger part of the book consists of two journals — Edward F. Beale's report to the Secretary of War upon his journey from Fort Defiance to the Colorado River, reprinted from the original government publication[6]; and the journal of May Humphreys Stacey, one of three boys chosen by Beale from his neighborhood in Chester, Pennsylvania, to accompany the expedition as general assistants. Stacey was nineteen years old, eager for adventure, and quite as eager to make a good record with his father's friend, Mr. Beale. His observations are lively and entertaining, presenting a fresh and unsophisticated point of view on the scenes and episodes of the journey. It is this point of view which gives to the Stacey journal a position of consequence in the literature of southwestern exploration. Taken together, the two narratives form a vivid and entertaining picture of travel in New Mexico and Arizona before the era of American settlement.

The camels come but incidentally into the narratives of Beale and Stacey; in fact, Stacey mentions them but three or four times and Beale does not say as much about them as one might expect him to say. Nevertheless their presence

in this expedition was such a novelty and constituted such an important experiment that the editor of the journals seems to be justified in expanding upon this theme to the point of making it the titular one of the book. Professor Lesley's discussion of the camels occupies comparatively few pages: ten devoted to an account of the camel importation and eighteen to "The Camel Dispersion," supplemented by a "bibliography" (more properly, a list of principal sources). In these pages, however, he has mentioned nearly everything of importance on the subject that has been brought to light. One might wish that he had quoted more liberally from the sources of his information or that he had expanded the discussion in his own words. On the other hand, it is due to Professor Lesley's efforts in pursuing so thoroughly some of the obscure traces of the wanderings of the camels after the termination of their military status that for the first time a fairly complete account of this peculiar episode in American history is to be found in easily accessible form.

FRANCIS P. FARQUHAR.

REFERENCES

1. *Report of the Secretary of War, communicating, in compliance with a resolution of the Senate of February 2, 1857, information respecting the purchase of camels for the purpose of military transportation.* 34th Congress, 3d Session, Senate, Ex. Doc. No. 62. Washington, 1857, pp. 238.

2. Notably: (a) "The Ship of the Desert," by J. W. Palmer, in *Harper's New Monthly Magazine,* No. 59, Vol. XV, October 1857, pp. 577-93. — (b) "Camel Caravans of the American Deserts," by J. M. Guinn, in *Annual Publication of the Historical Society of Southern California,* Vol. V, Part II, Los Angeles, 1901, pp. 146-51. — (c) "Jefferson Davis's Camel Experiment," by Walter L. Fleming, in *Popular Science Monthly,* Vol. LXXIV, No. 2, February 1909, pp. 141-52. — (d) "Jeff Davis' Camels in Arizona," by John L. Considine, in *Sunset Magazine,* May 1923, pp. 31, 79. — (e) "Uncle Sam's Camel Corps," by Fred S. Perrine, in *New Mexico Historical Review,* Vol. I, No. 4, October 1926, pp. 434-44.

3. Among these books are: (a) *The Bozeman Trail,* by G. R. Hebard and E. A. Brininstool, 2 vols., Cleveland, 1922 (Vol. I, p. 63). — (b) *The Story of the Mine,* by C. H. Shinn, New York, 1896 (p. 121). — (c) *Sixty Years in Southern California:* 1853-1913, by H. Newmark, New York, 1926 (pp. 222, 223, 234, 281, 297, 316, 317, 418, 543). — (d) *My Seventy Years in California,* 1857-1927, by J. A. Graves, Los Angeles, 1927 (pp. 55-62). — (e) *Comstock Mining and Mines,* by E. Lord, U. S. Geological Survey Monograph IV, Washington, 1883 (pp. 201-202).

4. "The Camel Pack Trains in the Mining Camps of the West," by William S. Lewis, in *The Washington Historical Quarterly,* Vol. XIX, No. 4, October 1928, pp. 271-84.

5. Because of the complicated character of the titles of the Vischer publications they are given here in condensed form: (a) *The Mammoth Tree Grove,* drawn and published by Edward Vischer, San Francisco, 1862. [A portfolio of views reproduced in lithograph; plate IX shows the camels.] (b) *Vischer's Pictorial of California,* San Francisco, 1870. [The *Pictorial* includes several scenes in which the camels appear; the volume of printed text which accompanies it contains comments and historical data.]

6. *Wagon Road from Fort Defiance to the Colorado River.* [Report of the Superintendent, E. F. Beale, dated April 26, 1858, transmitted to the House of Representatives by the Secretary of War, May 10, 1858.] 35th Congress, 1st Session, House of Representatives, Ex. Doc. No. 124, pp. 87, map.

[Note: Mr. Farquhar has prepared a synopsis of the Vischer material covering camels which it is hoped may be published in a future number of this *Quarterly,* together with Mr. Gray's general study of the subject. — Ed.]

Early Nevada, The Period of Exploration, 1776-1848. By F. N. Fletcher. Reno: A. Carlisle & Co., copyright by the author, 1929. iii+183 pp., map. 8°.

The Spanish explorers Escalante and Garcés probably did not reach the

present limits of Nevada, and the first white men known to have crossed its deserts were the trappers Peter Skene Ogden and Jedediah Strong Smith. From the time of their explorations until the establishment of the Mormon trading station in the Carson Valley during the California gold rush the fur trade was the only commercial activity pursued in this area, and even this had largely disappeared before the coming of the first pre-gold-rush immigrants in 1841. Most famous of the trapping expeditions was that under Joseph R. Walker, who passed en route to California in 1833.

The first widely published information regarding this region was contained in Frémont's reports. He traversed the area in several directions, but actually discovered few trails not yet already known, and his naming of the Humboldt River was an impertinence, since the trappers had already named and renamed this stream. Its desolate valley which the immigrants were forced to traverse en route to the Sierra passes became to them a bugbear, and though few in number, the pre-gold-rush caravans that came that way were of great import to California history.

Mr. Fletcher has drawn a good perspective of these early events, his special interest appearing to be the tracing of old routes. He is well known as a local historian, and has contributed articles to this *Quarterly* as well as to the publications of the Nevada Historical Society.

CHARLES L. CAMP.

Six Horses. By Captain William Banning and George Hugh Banning, with a Foreword by Major Frederick Russell Burnham. New York: Century, 1930. 410 pp., illust. 8°.

Here at last is the story of staging throughout the West in a single volume covering all of the major stage enterprises from the period of the California Stage Company under Jimes Birch to the coming of the railroad. The story is well told, though the lack of full documentation is to be regretted. Probably it could not have been expected in a "popular" book. Captain William Banning's description of the actual methods used by the great "six horse" drivers is not only fascinating but important. These early reinsmen were masters of a difficult and a forgotten art.

Big Trees. By Walter Fry and John R. White. Stanford University Press, Stanford University, California [1930]. xii+114 pp., illustrated.

Big Trees of the Giant Forest, Sequoia National Park in the Sierra Nevada of California; Their Life Story from the Blossom Onward. By George W. Stewart. San Francisco: A. M. Robertson, MCMXXX. 105 pp., illustrated.

While neither of these small books is primarily devoted to the history of the Sequoias, nevertheless both of them contain material of historical importance. The volume by Messrs. Fry and White contains a chapter on the dis-

covery of the Big Trees. Colonel Stewart's intimate little essay on the Sequoias is the result of a lifetime of friendship with these great trees. In fact, Messrs. Fry and White credit to Colonel Stewart's efforts the creation of the National Park. Both volumes are illustrated with excellent photographs, and the check list of groves of trees contained in the back of the Stanford University Press volume is of great importance.

Death Valley, the Facts. By W. A. Chalfant. Stanford University Press, 1930. ix, 155 pp., illust.

Death Valley. By Bourke Lee. New York: Macmillan, 1930. x, 210 pp., illust.

Strange as it may seem, accurate information respecting the most famous (or should we say, the most notorious) of America's desert valleys, that to which the most fearsome name was given, and that which has evoked the greatest public curiosity, has until the past few months been impossible to obtain in any convenient form. True, there existed Manly's splendid reminiscence and certain obscure government reports, together with a mass of ephemera in the way of articles in various periodicals, but in no single place was even the essential information collected.

Now, however, the curiosity of all may be satisfied, for the construction of automobile roads into the valley, and the recent erection of two excellent hotels to care for the many tourists who have been lured to its painted depths by the tales of its peculiar charms, has at last resulted in the publication of not one but two books on Death Valley, each purporting to tell the whole story, but to different audiences.

Mr. Chalfant is a historian, an accurate compiler of facts; Mr. Lee is a story teller — and a good one. For popular appeal Mr. Lee's book is well planned and the tales he tells are well chosen and many are remarkable — if true. Mr. Chalfant sticks more closely to the documents; he attempts no romanticism. His is the more "meaty" book, as might be expected from a historian and a scholar. And while both volumes are profusely illustrated, the particular excellence of the reproductions contained in the Chalfant book commend it to the lover of good printing.

The story of the earliest pioneers of Death Valley is retold in both. Manly and Rogers and the Jayhawker band — they are the human material of a great epic of the gold rush period. Mr. Lee contents himself with paraphrasing Manly's account; Mr. Chalfant discusses the whole episode from the point of view of the historian.

The books are complementary. Both are worth while, and it is gratifying to have this mass of information available in this convenient form.

The *Sierra Club Bulletin* for February, 1930, Vol. XV, No. 1, edited by Francis P. Farquhar, a Director of this Society and member of its Publication

Committee, contains a number of items of historical interest, including particularly an extensive article by Mr. Farquhar under the title, "Frémont in the Sierra Nevada." As is to be expected, this account deals primarily with Frémont's celebrated westward crossing of the Sierra crest on his second expedition in the winter of 1843-44. The explorer's purpose in venturing south from the Columbia was to investigate three landmarks: Klamath Lake, Mary's Lake and "the reputed Buenaventura River." He passed through the Klamath country and Pyramid Lake, still professing to be looking for this fabled river, which of course did not exist and the appearance of which on certain early maps, as Mr. Farquhar points out, Frémont should have known possessed no basis in fact. It is ingeniously suggested that the search for this mythical stream was given by the explorer "for the deliberate purpose of setting up an excuse for his actions."

Whatever may have been his reasons, Frémont, piloted by Kit Carson, crossed the Sierra in the dead of winter over what has since been known as "Carson Pass," and appeared at Sutter's Fort, having lost most of his horses, and having discovered Lake Tahoe on the way over the range.

Mr. Farquhar also discusses Frémont's experiences on his later Sierra crossing and exploration during his third expedition of 1844-45. A number of interesting early maps are reproduced.

NEW MEMBERS

Bense, Frederick, San Francisco
Casserly, Mrs. John B., San Francisco
Colburn, Mrs. Frederick H., San Francisco
Cordes, Frederick C., M.D., San Francisco
Cornwall, Luther M., Washington, D. C.
Covington, Frank L., Carmel
Dane, George Ezra, San Francisco
Esberg, Henry, New York City
Farquhar, Samuel T., San Francisco
Ghirardelli, Alfred, San Francisco
Gunst, Morgan A., San Francisco
Hawaiian Historical Society, Honolulu, T. H.
Knox, Miss Lucy R., San Francisco
Koshland, Daniel, San Francisco
Palo Alto Public Library, Palo Alto
Pennoyer, Paul G., New York City
Schafer, John Henry, San Francisco
Shaw, Robert, Berkeley
Tucker, Nion R., San Francisco
Young, Barbara, Sacramento

MEETINGS OF THE SOCIETY

The Society held its March, 1930, luncheon meeting at the Clift Hotel on Tuesday, the 25th, with "Recollections of Early Days in Contra Costa County" as the subject. Dr. D. Q. Troy gave a short sketch of the history of the County and reminiscences of many visits in his boyhood days to the little town of Pacheco as the guest of Captain Ludwig Anderson. The story of the Spanish régime was vividly presented by Mrs. Olivia Castro Scott, who also favored the Society with the reading of her poem descriptive of home life on the ranchos and with piano solos of her own composition. Mr. James Tennent spoke of his father, Dr. Samuel Tennent, one of the most distinguished settlers of early days, who migrated from Cambridge, England, and settled in Pinole; and of the picturesque setting that his rancho afforded for the fiestas, rodeos and barbecues in the early days in Contra Costa. There were about fifty-six members and guests present.

On Tuesday, April 29, 1930, the Society held its luncheon meeting at the Clift Hotel. Mayor James Rolph, Jr., the speaker, took "San Francisco" for his subject, comparing early San Francisco with the throbbing modern city that it is today and the early city halls with the magnificent lofty-domed building of today, calling attention to the great and substantial growth of our city and the easy life which is now ours, with rapid transit by motor and airplane and the world news which is brought to us by radio. The many prints and photographs of "early days" which our member, Mr. Frederick C. Clift, had on exhibition for our pleasure made the contrast a vivid one. There were present about fifty members and their guests.

The monthly luncheon of the Society was held at the Clift Hotel, May 29, 1930. The speaker was Mr. Blake Ross, author of "The Golden Crucible," which had been awarded the $1000 prize in the historical essay contest sponsored by the San Francisco Branch, League of American Penwomen. Mr. Ross did not speak of the essay itself, which was not then ready for distribution in book form, but of California — the name "California" as a "symbol born of a myth and a dream" — a dream of a land of gold and splendor which the adventurers of the Fifteenth Century sailed the unknown seas to find: the one the Spanish romancer, Montalvo, found — that land of myth and dream, way out beyond the horizon. In his imagination he found the Eldorado, the first California, "an island very near to the terrestial paradise." "This," Mr. Ross continued, "was the first California. From being first a name it became a symbol and the magic of it persisted; the spell has not even yet been broken. Ghosts of great names still haunt the pages of its history, each adding a symbol, which we have appropriated through the years, with their memories and their traditions — they give form and meaning to what we feel when we think of the name, 'California.' They express an attitude, not history." This young Californian has caught the very spirit of California in his interpretation of its name. There were fifty-seven members and guests present.

MARY ESTELL CURRY.

IN MEMORIAM

Ilo Rafenel Aikin, M.D.

In the passing of Dr. Ilo Rafenel Aikin, Oakland has lost one of its most promising physicians. He died as the result of a heart attack on December 10, 1929, while driving in his car.

The Doctor was born in Grand Rapids, Michigan, May 26, 1876, coming to California when ten years of age, with his parents, who settled in Oakland. He attended and graduated from the public schools there and later from the Hahnemann School of Medicine in Philadelphia. He was a member of the staff of the Fabiola Hospital of Oakland.

He became deeply interested in the romantic history of his adopted State and at the time of his death had acquired a very creditable collection of Californiana.

Fred M. DeWitt.

Hon. John F. Davis

John F. Davis, a member of this Society, died at his home in San Francisco on May 3, 1930. Mr. Davis was born June 5, 1859, on Angel Island, Marin County, and after receiving his early education in the public schools of San Francisco, later received the degree of Bachelor of Arts at Harvard College in 1881. He studied law at Hastings College of Law, from which he was graduated in 1884.

Governor Markham appointed Mr. Davis Judge of the Superior Court of Amador County. He represented the Tenth Senatorial District, comprising the counties of Amador, Calaveras, Alpine and Mono, for a number of years, and was appointed Code Commissioner by Governor Pardee in 1902, and held that office until October, 1907.

He compiled an index to the laws of California (1850 to 1907) which was published in 1908. This book was very accurate and contained valuable notes proving of great benefit to the judges and lawyers of California. He was the author of *California, Romantic and Resourceful,* published in 1914, a book which has been deservedly popular.

Mr. Davis was a man of learning and culture. He was greatly interested in California's romantic history and did much, as an officer of the Native Sons of the Golden West, to preserve the landmarks of California.

Madison Ralph Jones

Madison Ralph Jones, who died December 11, 1929, was a native of California, having been born in Martinez, December 15, 1872. He was a son of Hon. Joseph B. Jones, who for many years was a Superior Judge for the County of Contra Costa.

He was graduated from the University of California, after which he entered Columbia University, where he completed the regular law course. He began

practice in the City of Martinez and soon built up a lucrative practice. In 1910 he was elected to represent the County of Contra Costa in the Assembly. Here his ability, open-mindedness and courage won for him the respect of both the Johnson and the anti-Johnson forces which divided the legislature into two hostile camps. He removed to San Francisco about fifteen years ago, where he associated himself in the practice of law with the late Wigginton E. Creed and C. G. Dall under the firm name of Creed, Jones and Dall.

Mr. Jones' death, in the prime of his life, is a great loss to the community and his many friends.

EDITOR'S NOTE: At the time of going to press, word has just been received of the death in London of Mr. Sidney Hellman Ehrman, son of Mr. Sidney M. Ehrman, Second Vice-President of this Society.

A FEW CORRECTIONS

Mrs. Olivia Castro Scott has called our attention to an error in "Duhaut-Cilly's Account of California in the Years 1827-28," this *Quarterly*, Vol. VIII, p. 243, which was repeated in the index to the volume. Mrs. Scott writes: "My great-grandfather Don Francisco Castro's ranch is misprinted and called the 'San Pedro.' It was the San Pablo rancho." The error was probably made by Duhaut-Cilly and translated without correction.

Miss Frances Molera corrects a statement made on page 301 of Vol. VIII. She informs us that her grandfather, John B. R. Cooper, had two perfectly good hands and was never known as "*el manco*." (*El manco* is a term used to denote a man with one hand or a horse with a lame foreleg.)

In the signature to the letter of Captain Thomas Fallon, printed on page 73 of Vol. VIII, the initial was inadvertently printed "G" instead of "T."

Corrections and additions to the notes for the De Long Diaries will be printed at the end of the series, among them a very interesting explanation by Father Henry Woods, Librarian of the University of Santa Clara, of the expression "to make a riffle."

Other errors no doubt have crept in, and we shall appreciate having them called to our attention.